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PHILIPPE DE ROCHEBLAVE  
AND  
ROCHEBLAVE PAPERS,

HISTORICAL SKETCH AND NOTES

BY

EDWARD GAY MASON,  
PRESIDENT OF THE CHICAGO HISTORICAL SOCIETY.

COURT OF ENQUIRY  
AT FORT CHARTRES,

INTRODUCTION BY

JOHN MOSES,  
SECRETARY OF THE CHICAGO HISTORICAL SOCIETY.

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## BRITISH ILLINOIS.

**Philippe François de Rastel, Chevalier de Rocheblave.**

By EDWARD G. MASON of Chicago.

A CERTAIN interest attaches to the name of Rocheblave as that of the last British commandant of the region known a century or more ago as "the Illinois." His official position and his relations to that region during the revolutionary period, upon which his correspondence, preserved in the Canadian archives, sheds much light, seem to render a brief sketch of his life an appropriate introduction to a selection from that correspondence.

Philippe François de Rastel, Chevalier de Rocheblave, was born in the village of Savournon in the old province of Dauphiné, now in the department of the High Alps, in the southeast of France.\* His father, the seigniorial lord of Savournon, was Jean Joseph de Rastel, Chevalier Marquis de Rocheblave.\* The son entered the army as an officer in the French service and was placed upon the half-pay list in 1748.† A desire for active employment and for an opportunity to better his financial condition, it is probable, brought him to Canada in that year.‡ He acquired experience in Indian warfare, and was one of the officers who served under the brilliant partisan Charles de Langlade in 1755,§ when he led his bands of western savages from the country about Lake Michigan to the rendezvous at Fort Duquesne. In the

\* Marriage Register, 1763.—Kaskaskia Parish Records.

† Rocheblave to Germaine, Feb. 28, 1778.—"Canadian Archives."

‡ Rocheblave to Haldimand, Oct. 7, 1781.—Haldimand MSS., British Museum. § "Wisconsin Historical Society's Collect'ns," III, 213; VII, 132.

memorable defeat of Braddock which followed, due more to Langlade than to any other man,\* Rocheblave distinguished himself and won the praises of his chief.

One incident of that famous campaign, however, does not reflect credit upon the subject of this sketch. After the remnant of Braddock's force had fled, the French and Indians were busily engaged rifling the bodies of the dead which lay thick along the banks of the Monongahela. A young man of Langlade's party, of much enterprise and promise named La Choisie, discovered the body of a richly-dressed English officer, and Rocheblave, almost at the same moment, claimed that he had found it. La Choisie managed first to seize the well-filled purse, of the contents of which Rocheblave stoutly demanded a share, and they parted in no friendly way. The next morning, La Choisie was found assassinated, and the purse of gold was missing. While there was no direct evidence of Rocheblave's guilt, he was strongly suspected of the crime, and its shadow rested upon his name thenceforth.†

It is stated that Rocheblave continued to serve in Langlade's command during most of his subsequent campaigns in the old French war.‡ And he appears to have seen other service as well. In August, 1756, the governor-general of Canada — Vaudreuil — writing to one of the French ministers, says, that Sieur de Rocheblave with another cadet, a corporal, a militiaman, and twenty Shawnee Indians knocked at the gate of a small fort, three leagues beyond Fort Cumberland, where there remained some families and thirty militia. He killed four Englishmen whom the Indians scalped, wounded three, who dragged themselves into the fort, and took three prisoners.§ And in the following year, Vaudreuil writes to the

\* "Wisconsin Historical Society's Collections," VII, 132, 133.

† *Ibid*, III, 215; VII, 132.

‡ *Ibid*, III, 213.

§ "New-York Colonial Documents," X, 435.

home government that Rocheblave had returned with a prisoner taken on the banks of "the Potowmak," three days' march from Fort Cumberland.\* During these years, Rocheblave seems to have been one of the garrison of Fort Duquesne.

Two years later, he was for a time one of the lieutenants of another "famous French partisan," as he is described by Sir William Johnson, *Sieur Marin*, who like *Langlade* was associated with the early history of what is now Wisconsin. In June, 1759, *Marin* led a party of about three hundred Delaware and Shawnee Indians, with the assistance of Rocheblave and three Canadians, from Fort Niagara "to insult Fort Pitt," as they said. This fortification, then recently erected by Gen. Stanwix upon the ruins of Fort Duquesne, was found to be in a poor condition for defence. It might easily have been captured, had more Frenchman taken part in the expedition, the Indians being of little use in an attack upon a fortified place. But there was no time to send for reinforcements, as the commandant at Fort Niagara suddenly summoned his outlying parties to aid him against the British army under Gen. Prideaux and Sir William Johnson which was advancing to the investment of his position. *Marin's* command returned with all speed, joining on the way large reinforcements moving to the relief of Fort Niagara. In the battle fought under its walls, *Marin* shared in the French defeat and was one of the prisoners on that occasion.† Rocheblave had been left with one hundred and fifty men to guard the canoes and bateaux at an island above the Niagara portage. When the fate of the day was decided, the Frenchmen who escaped from the field retired to this place and the whole party proceeded to Detroit.‡ The

\* "New-York Colonial Documents," X, 581.

† "Wisconsin Historical Society's Collections," V, 118.

‡ "New-York Colonial Documents," X, 992.

war practically ended with the defeat of Montcalm in 1759, and for a few years thereafter we can not definitely trace Rocheblave.

In 1762, there was in Louisiana an officer of the name among the officials of the French government, and in later times one of the streets in New Orleans was named from this person.\* On a map of the Mississippi, made about this period, is marked on the left bank of that river just below the English Turn, not far from New Orleans, "Habitation du Chevalier de Rocheblave; ancien<sup>t</sup> Le Fort."† After 1762, this officer disappears from the Louisiana records, and it is possible that he is identical with the Illinois Rocheblave, who, in 1763, was placed upon the half-pay list of the French army‡ in recognition, it is presumed, of his efficient services in the old French war.

He probably came to Kaskaskia in the same year and established himself as a trader in that place. Here on April 11, 1763, in the old parish church, he was united in marriage to Michel Marie Dufresne, daughter of Jacques Michel Dufresne, officer of militia of that parish. The original entry with the signature of the parties, the witnesses, and the priest is still preserved in the marriage record at Kaskaskia. And, probably, because Rocheblave was still an officer in the French service, it is recited that written permission for the marriage had been given by Monsieur Neyon de Villiers, major commandant at the Illinois. De Villiers was one of seven famous brothers, six of whom laid down their lives in the service of the French king, and his graceful autograph appears at the foot of the record.§

When the Illinois country was surrendered by France

\* Letter of Charles Gayarre, Dec. 24, 1888.

† E. Mease's notes on maps in Pitman's "European Settlements."

‡ Rocheblave to Germaine.—"Canadian Archives."

§ Marriage Register, 1763.—Kaskaskia Parish Records.

to Great Britain in the fall of 1765, Rocheblave, as his opponents say, abandoned his property there, and preferred the Spanish government to the British, taking the oath of allegiance thereto.\* At all events, he was in command at Sainte Genevieve on the Spanish side of the Mississippi in 1766, and engaged in certain legal proceedings there.† In the following year, he was still Spanish commandant at the same place and was most tenacious of the rights of his catholic majesty even in ecclesiastical matters. When the good Father Meurin appeared at Sainte Genevieve, acting under the Roman catholic bishop of Quebec, Rocheblave declared "I know no English bishop here, and in a post where I command I wish no ecclesiastical jurisdiction recognized except that of the archbishop of St. Domingo." He at once made a decree proscribing Father Meurin, and orders were issued for his arrest as a state criminal for recognizing a jurisdiction not admitted by Spain. A friend warned him of his danger, and he left Sainte Genevieve and crossed the river into British territory.‡

In 1770, Rocheblave became engaged in an altercation with Lieut.-Col. John Wilkins, then commanding for Great Britain in the Illinois country with headquarters at Fort Chartres. The strife between the two commandants waxed hot, and attracted the attention of Gen. Thomas Gage at New York, and of Don Alexandro O'Reilly at New Orleans, the commanders-in-chief in North America for Great Britain and Spain respectively. Rocheblave forwarded his correspondence with Wilkins, and a letter of complaint to his chief, the governor and captain-general for his catholic majesty of the province of Louisiana. He sent all the papers, together with a conciliatory letter and

\* Petition to Carleton, April 10, 1777.—Haldimand Papers, "Canadian Archives."

† St. Louis City-Records.

‡ Shea's "Life and Times of Archbishop Carroll," p. 120.



a copy of his orders to the commanders of the several posts within his government intended to prevent the recurrence of such troubles, to the commander of the forces of his Britannic majesty in his American colonies. Gen. Gage replied in the same spirit, and, while he said it was not possible from the letters of Rocheblave and Wilkins to discover the merits of their controversy, he agreed with Don Alexandro in the expediency of putting a stop to these little disputes in the beginning to avoid their increasing to animosities. And in courtly phrase, he expressed his ambition to follow Don Alexandro's example and to obey his commands on all occasions,\* the humor of which, under all the circumstances, Don O'Reilly's Irish blood must have enabled him to enjoy. It does not appear what the precise difficulty was, but it is evident that Rocheblave was as prompt to oppose the British, in behalf of Spain, in things temporal, as in things spiritual.

By what process this foe of Great Britain, who as a Frenchman had fought against her troops, and as a Spaniard had quarreled with her officials, was transformed into a subject of George the Third is a mystery. Nor is it known when the marvellous change took place. It was alleged against him that he never took the oath of allegiance and supremacy required of those who held office under the British crown.† However this may have been, Rocheblave returned to Kaskaskia some time between 1770 and 1776, and posed as a British subject.

Lieut.-Col. John Wilkins was followed in the command of the Illinois by Capt. Hugh Lord, who had at Kaskaskia two companies of regulars and a few artillery-men. Maj.-Gen. Haldimand, who succeeded Gage in command at New York in June, 1773, was rather in favor of keeping these troops in the Illinois country. But Gen. Gage,

\* Gage to O'Reilly, May 16, 1770.—Haldimand Papers.

† Petition to Carleton.—*Supra*.



who resumed command on his arrival at Boston in May, 1774, feared, as the troubles with the colonies began to increase, that the detachment might be cut off and was inclined to order it eastward. Various circumstances prevented the accomplishment of this design until Sir Guy Carlton, the commander-in-chief in Canada, in whose jurisdiction the Illinois country was included, determined to carry it out. And after the disasters to the royal arms in 1775, when the soldiers of the colonies invaded Canada, he issued the necessary orders.\*

In the spring of 1776, Capt. Lord and his men departed to join the British forces by the way of Detroit and the lakes.† He was instructed to entrust the administration of affairs to such person as he judged proper. He selected Rocheblave as his successor, and it is a proof of his confidence in him that he left his own family in Rocheblave's charge, and four years thereafter they were still with Madame Rocheblave.‡ Carleton wrote Hamilton, the British lieutenant-governor at Detroit, that the troops were withdrawn from the Illinois to avoid unnecessary expense, and that a salary of £200 per year had been granted Rocheblave to have an eye to the king's interests in those parts, and to advise the government of whatever might be carrying on there against them, and that his appointment was deemed to have commenced May 1, 1776.§ And he wrote Lord George Germaine, the secretary of war, that he had employed Rocheblave to have an eye on the proceedings of the Spaniards and the management of the Indians on that side; that his abilities and knowledge of that part of the country recommended him as a fit person; and that he thought such a one necessary since the post which had been held upon the Mississippi had been

\* Rocheblave to Germaine, Jan. 22, 1778.—"Canadian Archives."

† Carleton to Hugh Lord, July 19, 1776.—Haldimand Papers.

‡ Madame de Rocheblave to Haldimand.—Haldimand MSS.

§ Carleton to Hamilton, Sept. 15, 1777.—*Ibid.*

withdrawn.\* Rocheblave naturally magnified his office, and considered that Capt. Lord had appointed him judge and commander of a vast country, and had in effect instructed him to continue to bestow upon the savages the presents ordinarily given in order to avoid alienating them, and that it was also committed to him to break up the designs and evil intentions of the Spaniards to say nothing of the rebellious colonists. He so informed the home government nearly two years after his appointment.† But however backward he was in advising his superiors of the extent of his authority, he lost no time in impressing it upon the people of the Illinois country. The French inhabitants were speedily taught to address him as commandant of all the British part of the Illinois, and with the most humble respect and submission, as did the residents of Peoria.‡ The British inhabitants were less docile, and complained by petition to Carleton, that Rocheblave trampled upon their liberties, "despised Englishmen and English laws," acted both as counsel and judge, traded with the savages against his own edicts, and was partial to the French.§ If one-half of their allegations were true, he certainly carried matters with a high hand and played the part of a despot.

Still it is but fair to Rocheblave to say, that however unjust to the people, he seems to have been faithful to the government. And notwithstanding his previous, frequent changes of allegiance, he served the British crown during his stay at the Illinois with a zeal and persistence which obtained from his superior officers a quasi-recognition of his right to the positions he claimed. Even Sir Guy Carleton who so carefully limited his authority at the outset, a

\* Carleton to Germaine, Aug. 13, 1777.—"Canadian Archives."

† Rocheblave to Germaine, Jan. 22, 1778.—*Supra*.

‡ Inhabitants of Peoria to Rocheblave.—*Supra*.

§ Petition to Carleton.—*Supra*.

few months later promised him an order authorizing him to call out the militia, which practically made him commandant,\* and apparently paid no attention to the complaints against him. The home government made no objection to his assuming the title he coveted, and Haldimand, who succeeded Carleton as governor of Canada, June 30, 1778, and with whom Rocheblave carried on an extensive correspondence after the capture of Fort Gage, always treated him as the former commandant at the Illinois, and in fact paid him his salary as such officer until some time in 1783,† and also his expenses in that office.‡ Certainly he was untiring in his efforts to obtain information concerning the schemes of the Spaniards and colonists, and nothing pleased him better than to hold a solemn examination in the audience room of Fort Gage at Kaskaskia, usually at five o'clock in the morning, of some trader returning from a winter visit to a tribe with which the Spaniards at St. Louis had been tampering, or some refugee from the colonies bringing cheering but delusive tales of their probable return to their allegiance; and to send off an express with the depositions of such witnesses duly signed, sealed, witnessed and verified upon oath, to Lieut.-Gov. Hamilton at Detroit, or Sir Guy Carleton at Montreal. He was really, as he himself says, left in charge of a great province without troops, without money, and without resources.‡ And he accomplished much with very little means. His services were especially valuable in regard to the Indians among whom his military experience and long association with them as a French partisan gave him influence, and he kept the tribes in his neighborhood quiet, and the routes of the Ohio and Mississippi open for a considerable time by his personal efforts alone.

\* Carleton to Rocheblave, Oct. 28, 1776.—Haldimand Papers.

† Haldimand Papers.

‡ Rocheblave to Germaine, Feb. 28, 1778.—*Supra*.

In fact, he decidedly preferred this kind of occupation; and this feeling, together with the lack of harmony between himself and the British traders at Kaskaskia, induced him to earnestly entreat that an English lieutenant-governor might be sent to take his place, and he be detailed to take charge of Indian affairs.\* He was equally anxious that at least a few troops should be sent to protect the country, the importance of which he seemed to realize far more than any one else in the British service, except perhaps Gen. Haldimand who, had he succeeded Carleton in time, would probably have granted this request. For after Clark's successful expedition, Haldimand expressed the opinion that had the two companies of regulars which he left at the Illinois when he commanded in New York, been left there they would have assured possession of the country and prevented subsequent consequences.† Rocheblave insisted, but to deaf ears, that the Illinois country if better known, would be one of the richest colonies which his majesty possessed, and that it would soon become the centre of communication between the colonists and the Spaniards by the way of the Beautiful River.‡ Carleton wrote Hamilton that it would be impracticable to send any troops to Rocheblave§ and none were ever sent him.

But it was the financial rock upon which he split. Notwithstanding Carleton's strict limitation of his allowances to £200 a year and the cost of his expenses,|| Rocheblave could not reconcile this petty sum with the dignity of his office, and came to grief accordingly. His expenditures may not have been altogether upon government account,

\* Rocheblave to Hamilton, May 8, 1777.—"Canadian Archives."

† Haldimand to de Budé (?), June 17, 1779.—Haldimand Papers.

‡ Rocheblave to Germaine, Jan. 22, 1778.—*Supra*.

§ Carleton to Hamilton, May 16, 1777.—*Supra*.

|| *Ibid*, Sept. 15, 1777.—*Supra*.

but doubtless in part they were, and his surprise and grief at the non-payment of his modest drafts for twelve and thirteen hundred pounds are almost pathetic, albeit somewhat humorous. Carleton had notified him in May, 1777, that he must not incur any further expense, but could draw for his salary only which was all that Hamilton was authorized to accept, but he paid no attention to this.\* Then finding that he could extract nothing from Hamilton or Carleton, he addresses himself directly to Lord George Germaine at Whitehall, and assures him that his expenditures have always savored more of the niggardliness of a private individual than what could have been expected from a great power like Great Britain; that he did receive orders to incur no more expense upon government account, but the absolute necessity of his work had obliged him to continue it on his own account, expecting of course to be reimbursed.† This producing no effect, he applies again to Sir Guy Carleton, who is told that it grieves Rocheblave to the heart to speak on the subject of finance, but he is persuaded that the goodness of Carleton's heart will not permit him to refuse the payment of Rocheblave's rejected drafts, and that he has strongly felt that the honor of the nation would not permit his fanaticism of zeal to be costly to him, nor that he should become the sport of his neighbors and savages. And while he confesses that he has persuaded the commandant at Vincennes to carry part of Rocheblave's expenditures in his account, he says he forced himself to this kind of deceit which the crisis alone could justify and that it troubles him all the more because it is foreign to his character.‡

The government was obdurate, but with undiminished cheerfulness and energy, he continued to raise the warn-

\* Carleton to Hamilton, May 16, 1777.—Haldimand Papers.

† Rocheblave to Germaine, Jan. 22, 1778.—*Supra*.

‡ Rocheblave to Carleton, Feb. 18, 1778.—*Supra*.

ing voice of one crying in the wilderness against the early expeditions of the colonists along the Ohio and the Mississippi to New Orleans to obtain supplies from the Spaniards, and the danger which these threatened to the Illinois posts. The daring young continental captain, James Willing, descended the Ohio from Fort Pitt, with an armed vessel and forty soldiers, captured fur-traders going to deal with the Indians under British permits, officers of militia with Rocheblave's own pass, took bateaux and cargoes in British waters, and nearly caught Rocheblave himself as he returned from a visit to Lieut.-Gov. Abbott at Vincennes. Willing went on his way to attack the British settlements on the lower Mississippi; and Rocheblave duly reported every account and rumor concerning him, giving them the darkest possible coloring, and again and again begged for the troops which such expeditions proved to be essential to the preservation of the Western country.\*

It was all in vain, his requests for soldiers were unheeded, his accounts for expenditures more or less in the public service were disallowed, and his drafts on the government representatives whether at Detroit or in Canada, went to protest. But his busy pen was still at work, and when the eventful July 4, 1778, arrived, he was corresponding as briskly as ever. He was true to his financial record to the last, for he made one more draft, and that for over \$1200 and on the government treasurer at Quebec;† calmly oblivious of the repeated injunctions of his superior officers that he should draw on Detroit only, and for no more than his annual salary. He accompanied this bill of exchange with a letter to the treasurer praying that it

\* Rocheblave to Abbott, June 20, 1778. Rocheblave to Carleton, July 4, 1778.—Haldimand Papers.

† Rocheblave to Thomas Dunn, treasurer, Quebec, Bill of Exchange, July 4, 1778.—*Ibid.*

might be honored, and mentioning that the uncertainty in which he was as to whether his preceding draft had been paid, had occasioned him an increase of expense. And he frankly stated that the doings of the Spaniards with the Americans required that he should do even more than before, presumably in the financial line, if his services were to be of any use to the country. These, however, he offered freely.\* And on the same day, the very last of his command at the Illinois, he dispatched a long communication to Sir Guy Carleton, containing the latest news of the rebel marauders along the Mississippi, earnestly soliciting the immediate sending of a body of troops to the Illinois, and asserting that all his alarms were about to be realized and that they were upon the eve of seeing there a numerous band of brigands. And he pathetically implored the governor to order the treasurer to pay his latest draft, he being overcome with demands. And apparently having exhausted all other arguments, he begged for assistance as the father of a family in pecuniary difficulties.†

Before the next sunrise, George Rogers Clark and his men were in possession of the old Jesuit mansion which did duty for a fort at Kaskaskia, and the hapless Rocheblave was a prisoner of war. The band of brigands had arrived, not those under the command of James Willing whose coming he had for some time predicted and dreaded, but another force under another leader whose approach he does not seem to have suspected. According to the popular account, Rocheblave was captured in his bed.‡ Clark only says that with one division of his little army he broke into the fort and secured the governor, Mr. Rocheblave.§ It has been also stated that the wife of the gov-

\* Rocheblave to Thos. Dunn, July 4, 1778.—Haldimand Papers.

† Rocheblave to Carleton, July 4, 1778.—*Ibid.*

‡ Reynolds' "Pioneer History of Illinois," 2d ed., p. 95.

§ "Clark's Campaign in the Illinois," p. 31.



error concealed the public papers in her husband's charge, and that, as Gov. Reynolds puts it, "the gentlemanly bearing of Col. Clark made him respect female prerogative, and the lady secured the papers in that adroit manner peculiar to female sagacity."\* One of Clark's lieutenants, however, Capt. Bowman, wrote to a friend shortly after the capture, that they had all of Rocheblave's instructions from the several governors at Detroit, Quebec, etc., to do various things, for which he received a salary of £200 a year.† It is evident, therefore, that a part of Rocheblave's correspondence and at any rate some of the letters from Carleton on the subject of his annual compensation fell into Clark's hands.

Rocheblave's letter to Carleton, announcing the arrival of Clark and his men, is a pathetic epistle. It was written August 3, 1778, or nearly a month after his capture, when he appears to have still been a prisoner at Fort Gage. He tells what he would have done had he been supported or could aid have reached him from Vincennes, begs that his last draft may be paid, asks help for his family and Capt. Lord's, and urges his own exchange. He says his prison is worse than anything in Algiers, and that he is to depart the next day "for the congress," although quite ill.

Clark sent those of his men whom he could not persuade to reenlist to carry letters to Gov. Patrick Henry at Williamsburg and with them went Rocheblave across the Alleghanies in custody.‡ In this detachment was Levi Todd, brother of John Todd the first governor of the Illinois county under Virginia.§ In the following spring, Rocheblave was joined by his former correspondent Lieut.-Gov. Hamilton of Detroit, whom, after the capture of

\* Reynolds' "Pioneer History of Illinois," 2d ed., p. 95.

† Bowman to Hite, July 30, 1778.—Almon's "Remembrancer," 1779, p. 82.

‡ "Clark's Campaign in the Illinois," p. 37.

§ Reynolds' "Pioneer History of Illinois," 2d ed., p. 143 n.

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Vincennes, Clark also sent to Williamsburg as a prisoner. Hamilton was closely confined and placed in irons for his cruel treatment of captives and his connection with Indian outrages. Rocheblave appears to have had the freedom of the town on parole.\* While here, according to his own account, it was proposed to him to return to the Illinois to govern that country in the name of congress with the titles of governor, superintendent of the Indians and colonel, and that all he had lost there should be made good to him. And he represents that when he resolutely withstood these flattering temptations, the governor and council of Virginia asked the French Marquis de Vaudreuil, commander of a ship of seventy-four guns which was lying in Virginia waters, to transport him to France or the West Indies as a traitor to his native country. The marquis sent an officer ashore whom Rocheblave went to meet with the county lieutenant, but no parole to return to the town was exacted of him. The officer threatened to send him to France or the islands but Rocheblave says he told him that the king of France having abandoned him after the last peace, he had become a British subject and that the king could exercise no jurisdiction over him. And that the council, seeing that the French officer had not succeeded sent him a parole to sign, which he evaded by pretending to be sick, and made his escape.\* Thomas Jefferson gives a different account, for in writing to Gen. Washington from Richmond in September, 1778, he said Lieut.-Gov. Rocheblave had broken his parole and gone to New York, and that the authorities of Virginia would shortly trouble the commander-in-chief to demand the return of the lieutenant-governor as soon as they could forward the necessary papers.†

, 1779, p. 82.

\* Madame de Rocheblave to Haldimand; Rocheblave to Haldimand, Oct. 9, 1780.—Haldimand Papers. Jefferson's "Writings," I, 258.

† Jefferson's "Writings," *supra*.

However this may have been, Rocheblave arrived in New York in July, 1780, in company with Schieffelin, lieutenant of Detroit volunteers, who had been taken prisoner with Hamilton, and had also made his escape. In October of that year, Rocheblave wrote Haldimand at length, setting forth his desire to raise some volunteers to chase the rebels from the region of the Mississippi, the Ohio and the Wabash, forwarding all the bad news concerning the colonists he could hear or imagine, modestly calling attention to the fact that his letters to Carleton would show that he had predicted all that had happened in the West, months before its occurrence, and entreating some aid for his own family and that of Maj. Hugh Lord, whom he said the brigands had deprived of the last morsel of bread.\* With characteristic assurance, he followed this some ten days later with a plan for carrying on the war, entering into minute details.† In December, 1780, he wrote again from New York to Haldimand, asking that his pay might be sent to his wife, and, faithful to his charge, he asks for aid also for Hugh Lord's family.‡

Lieut.-Gov. Hamilton was exchanged March 4, 1781, and wrote to Haldimand three days later to inform him of that fact, and incidentally mentioned that Rocheblave was still in New York waiting for a convoy to Quebec.§ This he seems to have obtained in the fall of that year,|| as we find him at Quebec on Oct. 7, 1781, addressing a memorial to Haldimand on the advantage of occupying the Illinois country, and merely mentioning that Lieut.-Gov. Hamilton, to whose judgment it was proposed to refer the project, was aware of the superior knowledge

\* Rocheblave to Haldimand.—Haldimand Papers.

† Rocheblave's Plan, Oct. 20, 1780.—*Ibid.*

‡ Rocheblave to Haldimand, Dec. 12, 1780.—*Ibid.*

§ Hamilton to Haldimand, May 7, 1781.—*Ibid.*

|| Haldimand to Hamilton, Oct. 23, 1781.—*Ibid.*

of Rocheblave to whose department such a question belonged.\* In February, 1782, he applied for a passport to Detroit and a recommendation in his favor, and for leave to send an express to his wife,† and in March, his importunity obtained from the government a warrant for disbursements as commandant at the Illinois.‡ Notwithstanding this however, he again recalled his services to the much enduring Haldimand, suggested that his warnings, which might have saved Cornwallis, had only been laughed at, and proposing to secure the Illinois country, and with the aid of Germans and Acadians from Virginia and Maryland, to arrange the neutrality of Kentucky and the Indians at a trifling expense. But, if this comprehensive proposition was not entertained, he asked for a passport and a circular letter to the commanders of the posts, where he might desire to trade, and last, not least, for the reimbursement of his losses.§ Haldimand evidently thought the most economical plan, and the one promising the most respite for himself, was to permit this persistent individual to engage in trade. And he accordingly gave him letters to Maj. de Peyster at Mackinac, who was informed that Rocheblave had been continued on pay and was to be employed as found useful, and that he had been allowed to take up a small cargo of goods which was not to pay freight on the lakes.|| But before he set out on this expedition, Rocheblave sent from Quebec, Aug. 31, 1782, another petition praying for the payment of his salary and the expenditures incurred during his long captivity,¶ and his salary as commandant was granted him.\*\* The peace which Haldimand thus secured

\* Rocheblave to Haldimand, Oct. 7, 1781.—Haldimand MSS.

† *Ibid*, Feb. 17, 1782. § *Ibid*, March 22, 1782.—Haldimand Papers.

‡ Warrant to Philip de Rocheblave, March, 1782.—*Ibid*.

§ Haldimand to Peyster, April 28, 1782.—*Ibid*.

¶ Rocheblave to Haldimand, August 31, 1782.—*Ibid*.

\*\* Warrant to Philip de Rocheblave, October, 1782.—*Ibid*.

for himself was not of long duration, for Rocheblave seems to have been unable to resist the temptation while at Mackinac of engaging in his former pastime of making drafts on government account. And Haldimand was obliged to write him with some sternness, regretting that Rocheblave had been interested in bills drawn from Mackinac, contrary to orders, as they must be allowed to go to protest.\*

Perhaps because of the unfortunate outcome of this attempt to resume business, Rocheblave soon after departed for the Illinois, and doubtless revisited his old home at Kaskaskia in the winter of 1782-3. Maj. de Peyster, then commanding at Detroit, advised Haldimand of this, and asked what was to be done if Rocheblave returned or drew for back pay.† Haldimand replied that Rocheblave had been drawing money for salary from Quebec, and his pay was to be continued from there,‡ and in March, 1783, another warrant to Philip Rocheblave for his salary as commandant at the Illinois was duly issued.§ And in the same month, Rocheblave, who had returned to Quebec, confidently submitted to Haldimand a plan for uniting and strengthening the parts of America left in British possession taking in all the territory formerly owned by France, including the Mississippi, New Orleans, etc.|| He took the opportunity, however, to request a settlement of his claims for losses and expenditures during captivity;¶ and also addressed Haldimand's secretary, Capt. Mathews on the subject.\*\*

Rocheblave apparently had regained the favor of Haldimand, who cheerfully granted him a pass for two bat-

\* Haldimand to Rocheblave, Nov. 2, 1782.—Haldimand Papers.

† Peyster to Haldimand, Jan. 7, 1783.—*Ibid.*

‡ Haldimand to Peyster, March 12, 1783.—*Ibid.*

§ Warrant to Philip de Rocheblave, March, 1783.—*Ibid.*

|| Rocheblave to Haldimand, Mch. 11, 1783. ¶ *Ibid.*, Apr. 7, 1783.—*Ibid.*

\*\* Rocheblave to Mathews, Apr. 7, 1783.—*Ibid.*

Rocheblave declined to discriminate in his behalf in the Mackinac business.\* This favor was gratefully acknowledged to the secretary by the recipient who announced his intention to try to go to the point which he was at before the unhappy affair at Mackinac, which he promised to long remember, and well observed that for a man of his age not to go forward was to go back, and with unwonted consideration, said he would refrain from fatiguing Haldimand with a letter.† Within a fortnight, however, he sent him a plan for settling the upper country with loyalists, Germans, and Acadians, so as to secure the territory on the Mississippi to the British.‡ Haldimand had to promise to do all in his power to support Rocheblave's endeavors to recover his losses;§ and in the fall of 1783, rumors reached Canada that an act of parliament had been passed to indemnify the loyalists for their sacrifices. Rocheblave promptly sent in his claims again, and was hardly satisfied with the decision to wait until the act officially reached Quebec. He wished his demands established immediately because he said he had to go from Quebec and "find Madame Rocheblave and the rest of the family at Chikagou," and settle all affairs in the upper country before possession was given to the Americans.|| He seems to have remained at Quebec during the following year, as, in January, 1784, he besought the government to give him a situation; in March, he asked for a passport and circular letter to the different posts and for an advance of cloth and powder and a grant of lands on the river Rideau; and in April, sent in a formal memorial designating the one-thousand-acre tract of land of which he would like a grant to hold

\* Mathews to Rocheblave, April 10, 1783.—Haldimand Papers.

† Rocheblave to Mathews, April 17, 1783.—*Ibid.*

‡ Rocheblave to Haldimand, April 28, 1783.—*Ibid.*

§ Mathews to Rocheblave, Oct. 22, 1783.—*Ibid.*

|| Rocheblave to Haldimand, Nov. 6, 1783.—*Ibid.*

under the crown.\* Haldimand sent him a letter of recommendation to enable him to forward his goods to the upper country, but he still applied for assistance; his wife reinforced him with an impressive letter stating their distressed condition owing to the refusal to pay her husband the money laid out for the government of the Illinois and praying for justice; and Rocheblave begged for permission to at least acquire some land from the Indians, until finally Haldimand succumbed and ordered the laying out of one thousand acres of land for Philip Rocheblave on the Grand Isle near Cataraqui or other part in that neighborhood which was ungranted.†

The year 1785, found Rocheblave still at Quebec, whence he wrote Haldimand at London complaining that after all his services, he had received no indemnity for losses such as had been granted to every refugee loyalist, that he had even been deprived of rations, and that this had a bad effect on the Canadians.‡ It would seem that about this time, Rocheblave began to turn his attention to increasing disaffection among the subjects of Great Britain in Canada. More than one of Haldimand's correspondents informed him concerning the treasonable expressions and doubtful conduct of the once loyal commandant at the Illinois.§ Secretary Mathews wrote to Rocheblave's predecessor, the now Major Lord, desiring information concerning his successor's conduct at the Illinois, as his behavior since Haldimand's departure had been such as to justify suspicion of his ostensible character, he having been very active in stirring up discontent among the Canadians.|| And in the

\* Rocheblave to Haldimand, Jan. 3, Mch. 7, Apr. 12, 1784.—Hald. Papers.

† Haldimand to Rocheblave, Mch. 26; Rocheblave to Haldimand, Oct. 16; Marie de Rocheblave to Haldimand, Nov.; Rocheblave to Haldimand, Nov. 2; Haldimand to Holland, Nov. 4, 1784.—*Ibid.*

‡ Rocheblave to Haldimand, Jan. 21, 1785.—*Ibid.*

§ Rouband to Haldimand, Mch. 20; Baby to Haldimand, June 4, 1785.

|| Mathews to Maj. Lord, Aug. 25, 1785.—*Ibid.*



fall of 1786, Mathews wrote from Quebec to Haldimand in London revealing, what he called, the odious character of Rocheblave, and commenting sarcastically upon his assurance.\* With this faint praise, the name of Rocheblave disappears from the British archives.

Among the papers of Pierre Menard in the possession of the Chicago Historical Society is a copy of a document executed at Kaskaskia, July 29, 1801, certified to be correct by Ph. Rocheblave.† And in a report of commissioners on land claims in the district of Kaskaskia, dated Dec. 31, 1809, Philip Rocheblave is stated to be the then present claimant of a tract of land, which claim was rejected by the commissioners.‡ It is uncertain, however, whether the person mentioned in this document and in this report is the former commandant or a son of the same name. Of Rocheblave's family very little is known. His wife, from her letters to Gen. Haldimand, seems to have been a woman of force and education. Patrick Henry gave express instructions to John Todd, and to George Rogers Clark that she should be well treated, and her property restored or that she should be recompensed therefor.§ Augustin Grignon says he knew two of Rocheblave's nephews, Pierre and Noel de Rocheblave, both engaged in the Indian trade, and that Pierre became first a clerk and then a member of the Northwestern Fur Company.|| He is said to have been one of the most important personages in this company, and to have had a seat in the old legislative assembly at Quebec.¶

No other noteworthy mention of the name of Rocheblave has been found in the annals of the West. He was

\* Mathews to Haldimand, Sept. 7, Nov. 9, 1786.—Haldimand Papers.

† Chicago Historical Society's Autograph Letters, Vol. 61, p. 399.

‡ "American State Papers; Public Lands," II, 130.

§ Henry to Todd.—John Todd's Record-Book, Chicago Historical Society. Henry to Clark.—"Calendar of Virginia State-Papers."

|| "Wisconsin Historical Society's Collections," III, 215. ¶ *Ibid*, VII, 133.

not an altogether admirable character, and his feat of changing allegiance three and perhaps four times within a space of twenty years redounds more to his versatility than his consistency. But his eventful and curious life has a romantic interest of its own, and illustrates vividly the transitions through which the Western country passed during the revolutionary period. And his name marks an epoch, and will always have a kind of prominence as that of the last official representative of monarchical institutions upon the soil of Illinois.

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## ROCHEBLAVE PAPERS.

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### Sir Guy Carleton to Rocheblave.

Translation from "Canadian Archives," Haldimand Papers, B. 39, p. 242.

CROWN POINT, 28th October, 1776.

*Sir:*—I have just received your letter of September 14th, with the interesting intelligence which you therein communicate to me. I can but approve the zeal which you show for the interests of the King of whom you have become a subject, and to whom, by the proof you have just given, as well as by the favorable report which has been made to me concerning you, I do not doubt that you will render good service. I hope by your skill to find the means of defeating the designs of the rebels, of which you inform me. I submit to you whether you should not make every possible effort to engage the savages of the Beautiful River to aid you.

I will send you as soon as possible the necessary order to authorize you to call out the militia; in the meantime to recompense the trouble which you may have in the performance of your duty, you can draw bills of exchange upon the Treasurer of the Province, Mr. Dunn, at Quebec, for the amount of your expenses in the work of which you have charge, to the amount of two hundred pounds sterling per year, beginning from the day of the departure of Captain Lord\* from your post, until further order.

\* Hugh Lord attained the rank of captain in the British army, Dec. 25, 1762, was assigned Feb 5, 1770, to the 18th Royal regiment of Ireland, and was ranking captain in 1776.—R. G. Thwaite's examination of British-Army Lists. He commanded a detachment of soldiers stationed at Kaskaskia, while Lieut.-Col. John Wilkins of the same regiment was commandant

We have taken, burned and destroyed the greater part of the rebel fleet upon Lake Champlain, three sail only, out of the fifteen which they had, having escaped. The Rebels upon this event, set fire to all the houses and all the ships at this place, and fell back hastily upon Fort Carillon, but the bad weather which is coming on, prevents us from pursuing them this year, and we shall be soon obliged to re-take the route to Canada for our winter quarters.

M. ROCHEBLAVE.

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**Richard McCarty to Rocheblave.**

Translation from "Canadian Archives," Haldimand Papers, b. 122, p. 6.

Second letter, important business.

*Sir*:—I have the honor to wish you good day, and to present my respects to Madame de Rocheblave, and courtesies to Mademoiselle Pazet and friendship to all the family, to which I would render any service in my power here; I wish to make use of you to do this.

I was ill at the departure of Mr. Charleville, and so I was not able to appear to present my defence. Mr. Levy has been himself to the house of Mr. Cecil to tell him that our society was separated and dispersed at the time

at the Illinois. Wilkins' term of office ended March 30, 1772, and he was temporarily succeeded by acting-Maj. Robert Hamilton of the same regiment who had been stationed at Fort Pitt. On June 11, 1772, Hamilton was relieved by Capt. Lord, who remained in command of the Illinois, having two companies from his own regiment and three men from the Royal artillery under his charge there, until May 1, 1776, when he and his men were recalled to Canada.—Haldimand Papers. In 1779, he was major of the 75th foot, or Prince of Wales' Own, with commission dated May 30, 1778, and in 1783, was a major on half-pay. Dec. 25, 1802, he was appointed major with full pay in the 7th Royal regiment, garrison battalion, and in 1807, was a major commanding the garrison of the Island of Jersey and the last mention of him in the army lists is in 1829, which probably was the year of his decease.—R. G. Thwaite, *supra*. E. G. M.

of the circular, but in time and place I will furnish my reply to the petition presented to you.

I write you a letter concerning the news which without doubt you have heard spoken of. It appears that some one has given aid to the other shore. The news began to be forgotten, and was hardly spoken of, when the two Englishmen arrived at St. Louis. They disappeared as they came without the knowledge of any one.

I have sent a mortgage which will be presented to you by Mr. Kennedy to be registered according to the custom and law here which I imagine will settle all proceedings against me on this subject.

I sent to fetch an Englishman who was said to be at Misere\* a man very expert in the building of mills. I pray you to have the goodness to give every assistance in your power, so that we can have this as soon as possible.

There have been, they say, two Frenchman killed near St. Joseph while coming from Detroit, and by the Pottawatomies. Also Mr. Chartranc had a finger cut off by the Renards. Four traders have abandoned their house, and all their effects in the country along the river of the Illinois.

By the report of Boison which they have had at St. Louis during the winter, both the Pottawatomies and the Renards say that they wish St. Joseph ravaged and destroyed. There is nothing but war on every side. Do me the honor to give me the news which you have Sir, with all the respect and esteem possible, your very humble and very obedient servant.

RICHARD McCARTY.†

KAHOS, 6 fevr., 1777.

[Endorsed:] Letter from Richard McCarty to M. Rocheblave, dated Kahos, 6 Fevr., 1777.

\* A nickname for Ste. Genevieve, Missouri.

† Richard McCarty—see note, page 167, *supra*—wrote from St. Ursule at the Illinois, which seems to have been another name for Cahokia, on June 7, 1778, to a correspondent at Mackinac, sending the latest information to Maj.

### Petition to Carleton concerning Rocheblave.

From "Canadian Archives," Haldimand Papers, Series B., Vol. 185, 1, p. 2.

Illinois, *sst.* To His Excellency General Carlton, Governor of the Province at Canada, etc., etc., etc., residing at Quebec.

The petition of Daniel Murray\* Agent for the contractors, Patrick Kennedy† and Thomas Bentley, all of the de Peyster and expressing the pious hope that God would soon send the wished-for news of a union with England and her colonies. But in April of the following year, he wrote to his wife at Montreal that he had become a captain in the Illinois battalion and *aide-de-camp* of the commander-in-chief of the department of the West. And on July 12, 1781, Maj. de Peyster, then British commandant at Detroit, wrote to Gen. Powell that the Wea Indians had entered heartily into their cause, and had lately attacked a party of rebels and Indians, under Capt. Richard McCarty, near the Wabash, and had killed McCarty with some of his people. Maj. de Peyster added that he had all of McCarty's papers, but they gave no information other than that McCarty and all the inhabitants of the Illinois were heartily tired of the Virginians.—McCarty to Askin, McCarty to Mrs. McCarty, Maj. de Peyster to Powell; "Canadian Archives."—E. G. M.

\* Daniel Murray and his brother William, of London, England, were traders residing in the Illinois country before the Revolution. Wm. Murray negotiated, in 1773 and 1775, extensive purchases of lands from the Indians upon which were based the persistent claims of the Illinois and Wabash companies to a large part of the present states of Illinois and Indiana, finally rejected by congress in the early part of the present century. Wm. Murray was a member of both companies, and Daniel of the Wabash company; and the contractors, for whom he was agent, were those contracting with the British government to furnish provisions to the Western posts. Wm. Murray left the Illinois in 1776, and Daniel remained in charge of his brother's affairs. When Clark arrived, Daniel Murray took service under him as quartermaster and commissary, and supplied large quantities of provisions and merchandise to Clark and to Montgomery. When the Virginia troops were withdrawn, Murray was obliged to leave the country, descended the Mississippi to New Orleans, and was captured by the British on his sea voyage to Virginia and taken to New York as a prisoner. In December, 1781, he addressed a memorial to the Virginia delegates in congress at Philadelphia, praying them to save him and his brother from ruin by prevailing on their State to pay the bills of exchange drawn in their favor by Col. Montgomery for supplies furnished.—E. G. M.

† Patrick Kennedy was a trader doing business at Kaskaskia under British

Village of Kaskaskias in the County of the aforesaid Merchants, humbly sheweth,

That since Captain Hugh Lord's departure from this country and Mr. De Rocheblave's being vested with the Government, We your humble petitioners and His Majesty's most faithful subjects, find to our most bitter grief our liberties trampled upon & common justice in almost all cases refused to us, that on our presuming to remonstrate against such injustice the said Mr. De Rocheblave will not listen to us, informing us that such are the laws of France which he orders us to follow telling us he knows no other, refusing the English laws proclaimed here by Colonel John Wilkins and hitherto followed by his successors to the command, that we being the only English merchants or inhabitants in this place we take the liberty to represent to you our unhappy situation, and lay our grievances before you, hoping from you a speedy and immediate Redresse for without such 'twill be impossible for an Englishman to remain in this Country as the said Mr. De Rocheblave is daily imposing upon us by refusing the appointment of our suits & denying us the justice which by Law & Equity we have a right to demand at his hands both for the security of our property as well as our persons, neither of which we look upon to be safe under his Government, as Englishmen & English Laws to our great mortification are despised by the public in general & appear to be so by the said Mr. De rule, and at one time was in partnership there with Richard Winston. In July, 1773, he undertook an expedition with several *coureurs de bois* from Kaskaskia to the headwaters of the Illinois River in search of a copper mine. He explored the stream to an island, about fifteen miles below the juncture of the Kankakee, finding coal-mines and salt-ponds but no trace of the metal he sought for. His journal of this trip gives an interesting account, and one of the earliest in print of the country he passed through. He was one of the claimants under acts of congress giving four hundred acres of land in the district of Kaskaskia to heads of families who had cultivated land in Illinois prior to and including the year 1788.—E. G. M.



Rocheblave in particular. That with such inhabitants as we happen to have any controversy respecting accounts or Demands unavoidable in business he acts in the first place as council for such against us and afterwards as a judge—He one day decides a matter in our favor and immediately issues out a sentence in favor of the opposite party—That contrary to our wise constitution and to the great detriment of the merchant, he acts in the capacity of a trader, buying and selling goods both wholesale and retail and has been known to make proposals for the purchasing of a cargo (last summer) to a very considerable amount, which he would have effected had his Credit been equivalent thereto.

Public advertisements with respect to property he orders in a most arbitrary manner to be torn down which he has been known to do twice in one day. Protest and appeal from his sentence he pays no regard to, seizing notwithstanding of such for the payment agreeable to his sentence refusing undeniable security.

He forbid the trading of liquor to savages under the severe Penalty of two thousand dollars and those very savages notwithstanding such orders being constantly drunk when in the village, upon an enquiry made accused him even to his face of being the person that intoxicated them with Rum or Taffia which they said he barter'd to them for Beaver, Otters, etc.

Such is his partiality in favor of the French that upon approach of savages coming to war against their enemies last spring he sent out a party of men under French colours to know the design of their coming. That such partiality is not to be wondered at when we consider that the said Mr. De Rocheblave on this country being taken possession of by the English abandoned his property here and preferred the Spanish government to ours taking the oath of allegiance thereto.

That 'tis not within the cognizance of any person in the country so far as we can learn that the said Mr. De Rocheblave has ever been qualified by taking the oath of allegiance and supremacy previously necessary towards the holding of such an office.

That abstracted from all manner of prejudice whatever, we do not look upon the said Mr. De Rocheblave from his behaviour at all times and partiality against us on all occasions to be by any means an Englishman's friend having endeavoured to throw aspersions upon the character of some of us without the least foundation (and merely thereby intending to veil his own iniquitous practices) openly countenancing known Villians against us and even encouraging the savages to rob our boats, whose sole motive was trading amongst them in their winter grounds. That Mr. Murray, one of your humble petitioners, acting here as agent for the contractors applied to Mr. De Rocheblave to oblige Mr. Viviat a merchant in this place (who had obtained a certificate from Captain Lord) in the said Murray's name on his the said Captain Lord's leaving this implying that he had already bought provisions sufficient for the subsistence of two companies of soldiers twelve months, to lodge the same according to the said certificate which he hitherto has refused to do and notwithstanding it was farther enforced in consequence of a Lieutenant governor's coming to Post Vincennes who might have occasion for the same yet the same application was of no effect.

We humbly hope that your Excellency will be kind enough to compassionate our situation and grant us such redress and that in the most speedy manner possible as British subjects have a right to expect at the hands of an English governor and your petitioners as in duty bound will ever pray.

T. BENTLEY.\*

Dated at Kaskaskias, 10th April, 1777.

\* Thomas Bentley was a London merchant having trading-stations in West

**Declaration of Gabriel Cerré.**

Translation from "Canadian Archives," Series II, Vol. 14, p. 59.

The year 1777, the 29th of April, at five o'clock in the morning, there appeared before us, Commandant at the Illinois, the undersigned, in the audience room of this fort, Sr. Gabriel Cerré, a merchant of th<sup>e</sup> country whom we had summoned, for the purpose of declaring to us in legal form what he had learned, yesterday evening upon his arrival. And after having received from Sr. Carbonau, clerk, and from Sieur Maisonville, a merchant of Detroit, both here present, the oath to hold and keep secret what in the declaration we are about to receive, presently from the before mentioned Sr. Gabriel Cerré, who after legally taking the oath to tell us the truth as well as to keep Florida and the Illinois country. He seems to have been the only one of the parties to this petition who dared to sign it, and Rocheblave's vengeance soon fell upon him. In May, 1777, Bentley left Kaskaskia with Rocheblave's passport on a bussiness-trip to Canada. At Mackinac, in July of the same year, he was arrested by Major de Peyster by order of Lieut.-Gov. Hamilton, upon the accusation of Rocheblave, that Bentley had given aid to the rebels the year before. He was sent to Detroit and thence to Montreal, where he remained a prisoner without a hearing for more than two years, in spite of his frequent protestations of innocence, demands for a trial, and the intercession of powerful friends in England. During this period his property in the West and South was practically confiscated. At length, in November, 1779, he made his escape and crossed the frontier by the help of an Indian guide, and found his way to Virginia. Here he played the role of a martyr for the colonial cause, and at Williamsburg called on Lieut.-Gov. Hamilton, who had imprisoned him and was now himself a prisoner, and offered his services. The following year Bentley was at Post Vincennes and wrote thence to Major de Peyster and to General Haldimand, asserting his loyalty to Great Britain, suggesting methods for the reconquest of the Illinois and giving information concerning the plans of Col. La Balme. Yet in 1781, he appeared at Richmond, Virginia, and presented a claim for compensation, because he had sacrificed his fortunes to support the credit of that state in the Illinois country. His letters to the British and to the American authorities preserved in the Canadian and Virginian archives, and but recently brought to light, are curiously inconsistent, and show quite clearly that he deserved his ill-fortune. Still he managed to persuade George Rogers Clark that he was a faithful friend of liberty, and later established a claim to land at Kaskaskia as a loyal citizen of Virginia.—E. G. M.

secret that which he is about to impart to us, has declared and spoken that which now follows:

That having been among the peorias on the River of the Illinois the above named stated that last winter, having been wintering with the Kickapoos and Mascoutens at a place called the bad land, there arrived there two savages, Kickapoos, and that these went to a person called "fair weather" likewise chief of the said savages of the Village of the Raven on the River of the Illinois, to engage him to send hither those young men in response to my invitation. To which messengers the before mentioned "fair weather" replied that he would not stir, that he had been the winter before at St. Louis to the Spaniards to drink there and see his father, the Spaniard, who had before promised him a medal, a chief's coat, a hat, etc., that the commandant showed him all these articles, but told him he would not give them to him, until the commander sent word, that he thought the time of the arrival of the message from the sea would be about the time of grass, adding that he would not tell him the contents because it was yet a secret known only to him; that the inhabitants of St. Louis (?) were ignorant of it, but that as soon as their father had awakened from his sleepiness he would make known to them, and would be prompt with his word, and would give him then what he had promised, advising them not to mix themselves with the troubles of the bostonians with the english. The Sr. Cerré told us that he knew nothing more, that the declaration contained the truth, and he had nothing to change, add, or take away, and signed with us and our clerk and the *Sieur Maisonvil*.

Done in duplicate at Fort Gage the year and day above written. Signed, Cerré, Maisonville, Rocheblave, Commandant, and Carbonneau, Clerk.

[Endorsed:] In Sir Guy Carleton's (No. 32) of 11th August, 1777.

**Rocheblave to Lieut.-Gov. Hamilton.**

Translation from "Canadian Archives," Series Q, Vol. 14, p. 56.

Signed, ROCHEBLAVE, FORT GAGE, the 8th of May, 1777.

I beg Mr. Abbott to come hither where his presence will dispose of many things, and where he can give orders for the common safety of the two departments. If he comes here, I shall try to induce him to take charge of everything as did Mr. Lord. His presence is more necessary here than at St. Vincent. If I succeed, and if I can be of assistance to him, I will willingly remain with him, if not, I shall see if I can be of use elsewhere.

I was in command formerly in these parts for three years; and had not during that time to decide more than one process a week. At present with fifty men in all, I have during this term put three or four persons in prison, and that was as little as I could do. At present one is obliged every day to imprison young men who demand that if the English law is favorable to them it should be followed; on another occasion the same people will the very next day demand the old French laws which have always been followed. If I were not a little crazed already, I believe they would cause me to become entirely so. If S. C. should judge it proper to employ me on the River of the Illinois where there are only a few Canadians who do not litigate because they own nothing, this river would need some one to watch the savages who so far will not permit the native English to penetrate there, which is an injury to commerce. I think no one can be envious of my lot, and besides I myself am become a savage from constant association with them. I forgot to call your attention to the fact that as soon as I learned of the death of Bartalon, I gave letters of administration as successor to Mr. Cerré, an honest merchant, in order that having liquidated here the said succession, he could take the total

amount to Michilimackinac, or to Montreal according to circumstances. The greater part of the proceeds were under way, when I had the honor of receiving your letter. He had accompanied it himself well in advance to the Illinois River fearing the savages who have killed two men there. He has returned, and is about to remove the rest. I have ordered him to deliver it all to Mr. De Peyster to whom advices will be given. Mr. La Mothe can make application for it to him. What I can not do in a large way, I will do in a small way for the remainder of this succession, your wishes being commands for me.

To day, the eleventh, my letter not having gone on account of the raising of the waters and the continual rain, I have opened it to say that the same propositions have been made to the Saukies and the Foxes on their return from war here upon the Illinois as to the Kickapoos. This afternoon those sent out in advance of the convoy have seen nothing. We have news that it had not been seen as far as eight days travel and more than sixty leagues from here. This causes us anxiety.

[Endorsed:] Copy of a letter from Monsieur Rocheblave to Lieut.-Gov. Hamilton.

In Sir Guy Carleton's (No. 32) of 11th August, 1777.

### **Rochelave to Lieut.-Gov. Abbott. (?)**

Translation from "Canadian Archives," Series Q, Vol. 14, p. 64.

Signed, ROCHEBLAVE. FORT GAGE, the first of June, 1777.

*Sir:*—The boats have at last arrived from New Orleans where they were delayed by the loss of the powder taken away from the colonists to the amount of eleven thousand pounds. Thus has been reduced this much vaunted armament. It is true that the old governor, according to report loaded a boat intended for the colonists, But the ships of

his majesty got possession of it. All appearances are for a foreign war in the near future.

I have here a party of Delawares, and a collection of Kickapoos, Mascoutens and Pottawatomies from the River of the Illinois. As these three last named nations always make war upon the subjects of Great Britain (the Spaniards having persuaded them so to do) and it being necessary to reassure you as regards that quarter, I have contrived to draw them hither and after some difficulty, all has been well arranged. The war chief of the first mentioned will go to see you. This tribe appears to me to be attached to our interests. They promise to prevent the passage of the colonists in case of any attempt on their part upon the territory. The cannons you ask for will leave to morrow. If I can be of use to you, you can always rely upon me. I have always the honor of insisting upon the advantage of your presence here, for you would then know better your weakness and your resources.

Had circumstances permitted I should already have paid you a visit. They are expecting in the town sixty merchant boats. The French half pay officers who have remained here should be replaced, being in a battalion from which the Spaniards are seeking to recruit their garrison. If the Delawares wish to be of use to you, they and the Kickapoos are the most desirable.

I have the honor to be with the highest consideration, Sir, etc.

[Endorsed:] In Sir Guy Carleton's (No. 32) of 11th August, 1777.

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**Rocheblave to Lieut.-Gov. Abbott.**

Translation from "Canadian Archives," Series Q, Vol. 14, page 69.

*Sir:*—Yesterday evening there arrived a cargo from New Orleans, the owners of which report that the Span-



iards have taken possession of twenty-two English ships in this river, that these had made an attack upon them at sea. They have affirmed this so strongly and in such detail that there can be no doubt of its truth. Thus from whatever cause it may have arisen, reprisals or otherwise, hostilities have begun, and it remains only to decide how we shall come through with it. Shall we make the first move, or shall we permit it to be made. In the first case the advantage will be for us, in the second it will be for our neighbors. If we should get the start of them, we should not see them again very soon; if they should get the start of us, they would stir up much work for us even to the very gates of Canada.

If you wish us to anticipate them, you would do well to send about thirty young men here, and inform me in advance of their coming. I beg you to pay thirty piastres to the express. I am in too much haste to write more at present.

I have the honor, &c.,

Signed ROCHEBLAVE.

FORT GAGE, the First July, 1777.

[Endorsed:] Copy of a letter from Mr. Rocheblave, commandant, by appointment of Sir Guy Carleton, at Fort Gage, to Lt.-Gov. Abbot, dated Fort Gage, first of July, 1777.

In Sir Guy Carleton's (No. 33) of 13th Aug., 1777 (2).

### Sir Guy Carleton to Lord George Germaine.

From "Canadian Archives," Series Q, Vol. 14, p. 66.

(No. 33.) QUEBEC, the 13th August, 1777.

*My Lord:*—I have just received a letter from Lieutenant Governor Abbott enclosing Intelligence which he received from Monsieur Rocheblave and which, together with Mr. Abbott's letter I transmit to your Lordship.

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Mr. Rocheblave is a Canadian gentleman, formerly in the French Service, whom I have employed to have an eye on the proceedings of the Spaniards, and the management of the Indians on that side. His abilities and knowledge of that part of the country recommended him to me as a fit person; and I thought such a one necessary, since the Post which had been held upon the Mississippi has been withdrawn.

I likewise enclose you two letters I have received by the same conveyance from Lieutenant Governor Hamilton, from whom I have received at the same time a very voluminous packet; as it contained nothing very material and he is in direct correspondence with your Lordship, I do not think it advisable to detain the Boat Captain Pearson sends in hopes of overtaking the ship which sailed yesterday with another dispatch from me. I am, with all respect My Lord your Lordships most obedient humble servt.

GUY CARLETON.

Lord GEORGE GERMAINE.

[Endorsed:] Quebec, 13th August, 1777.

SIR GUY CARLETON. (No. 33.) (2 Inclosures.)

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### Rocheblave to Lord George Germaine.

Translation from "Canadian Archives," Series Q, Vol. 15, page 193.

*My Lord:*—It is nearly two years since the troubles which agitate disastrously North America obliged his Excellency, Sir Guy Carleton, to request Captain Hugh Lord, who commanded at the Illinois, to leave there with his garrison in order to be nearer the center and to aid in gathering together all his forces, which as a skillful leader he considered to be too distant. Mr. Lord had orders to leave the administration of affairs to such person as he judged proper.

If there could have been found a more zealous officer who had given many proofs of his capability and of his patriotism, in all probability he would have been given the preference. The commands which he left me in appointing me judge and commander in a vast country were in effect to continue to bestow upon the savages in these trying circumstances the presents ordinarily given in order to avoid alienating them.

I have felt, my Lord, how important it was, during the crisis which has forced the mother country to the most strenuous efforts, to carry the greatest moderation into every expenditure. Mine has always savored more of the niggardliness of a private individual than what should have been expected from a great power such as Great Britain.

It has been necessary for me to break up the designs and evil intentions of our neighbors, the Spaniards, and to dissipate the injurious impression they have sought to give the savages against the present government, in seeking to renew the small degree of inclination they have had for the old, and to give from time to time something to the vast tribes who inhabit our boundless forests.

I do not know, my Lord, what terms to make use of in having the honor of expressing to you the greatness of my surprise at learning that my expenditure for thirteen months which was in the neighborhood of twelve hundred livres sterling has not been allowed. His excellency, Mr. Carleton, in a letter of May last has checked me in every way. Having received his letter and proving to him in July the absolute necessity of continuing my work, I have said that I would suspend matters out of respect to his orders, but am continuing in my own name, subject to the condition of receiving a prompt reply. Thus far I am still waiting. It is by management of this kind my Lord, that Mr. Abbott, lieutenant governor at St. Vincennes, sees

himself today forced to abandon his government, to avoid being a victim of too precipitate a plan of action; and that he runs the risk of having the doors shut upon him for a long time to come by the Indians who have been tampered with by our neighbors. Through him I am deprived of needed aid. In vain should any one continue to decry a country which if better known would be perhaps one of the richest colonies which his Majesty possesses. The efforts made by our jealous neighbors to expel us confirm this assertion. The fear of wearying you my Lord prevents me from writing at greater length, and I close by imploring you to redress my wrongs, and to take into consideration the state of this country, and to permit me to assure you of the respectful consideration with which I have the honor to be my Lord, your very humble and very obedient servant. ROCHEBLAVE.

FORT GAGE of Illinois, the 22nd of January, 1778.

[Endorsed:] At Fort Gage of Illinois, Jan. 22nd, 1778, M. Rocheblave.

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#### **Inhabitants of Peoria to Rocheblave.**

Translation from "Canadian Archives."

*Sir:*—We the undersigned have the honor to assure you of our most humble respect and submission. All present have been witness to the arrival of your letter addressed to F. Maillet and of your word to be carried by him to the Mascoutin Chiefs. We certify that the said Maillet has shown great zealousness in this matter. Finding some difficulties and some coolness on the part of the savages, owing to the persuasion of the Spanish commander at St. Louis this Spring, he felt obliged to add to your word some further inducement in order to conquer their prejudices and objections which they brought forward, and has joined to this pressing reasons and urgent solici-

tations which he made to them in our prssence to overcome their irresolution. In honor of which, Sir, to assure you that we are with respect and fidelity your very humble and obedient servants.

JYTE TRUTEAU, JOSEPH VENAULT,  
LOUIS CHATELLERAULT,  
LATEAU HAY, LOUIS JAUNTETOT, EUSTACHE LAMBERT,  
JOSEPH VERINAT, AMABLE VAL, BAPTE. CASTERIQUE.

Witness, at the Péés, the 26th January. (?) LIONNAIS.

To Monsieur Rocheblave,

Commandant of all the English part of the Illinois.

[Endorsed:] French letter that came enclosed by Mr. Rocheblave to Mr. Hamilton and transmitted by him to General Carleton in his letter of the 6th August, 1778, marked Detroit No. 7.

### Examination of Henry Butler before Rocheblave at Fort Gage.

Translation from the "Canadian Archives," Haldimand Papers, V. 122, p. 21.

Today the 15th of Feb. 1778, at eight o'clock in the morning there appeared in the audience chamber of this fort upon your order a man named Henry Butler, of Irish origin, having resided for six years in the province of Pennsylvania, to whom after administering the legal oath to speak the truth, we have put to him the following questions. Inquiry firstly, how and when he came to this country.

In reply, he states that he arrived several days ago having seen himself threatened, as had been the case before, with being obliged to take arms in favor of the rebels. He left Fort Pitt three months ago in company with three others. He had embarked with a Mr. Morin,

whom he had met with while hunting upon the beautiful river.

He was asked what was going on at that time at the Fort and in the surrounding provinces.

He replied, that he had heard it said that the troops of the king were spread through the villages in the neighborhood of the said Fort and that their general was at a place called the White Horse.

He was asked if he had heard that Philadelphia had been taken and how?

He answered, that the people of Philadelphia had removed everything which barred the river and had given free entrance to the ships of his majesty.

He was asked if there had been any affair between the troops of the King and the rebel army?

He made answer, that he had heard it said that there had been a battle upon a small river called Schuylskill and that the rebels had lost.

He was asked where Congress was?

In reply, he stated that Congress was at Lancaster at the time he left, but that since it had retired to Carlisle.

He was asked as to whether he had any knowledge of an armament being prepared for this country.

He replied, that he had heard nothing of it before leaving.

He was asked if he knew George Morgan and where he was?

He replied, that he knew him, that Morgan had gone to Philadelphia in search of money to pay for the provisions of the troops of which he was the purveyor, and that he had not returned.

He was asked if he had any further information to give?

He replied, that he had heard it said, that this engagement would take place this spring, that the people inclined for the party of the King and were only kept back by the

oath which had been exacted from every family to the contrary, and added that they had conducted the prisoners taken from the royalist army to a place called Winchester.

He furnished his statement declaring that it contained only the truth, and not knowing how to sign his name he signed thro' his clerk and the witnesses here below.

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HENRY x BUTLER.  
mark

ROCHEBLAVE, Commandant.

PATT KENNEDY, CHARLES GOGIS, CARBONNEAU, Clerk.

And today the 16th of the said month, continuing the same interrogatory which business had obliged us to interrupt. The same Butler after having again taken oath was asked what was the force of the garrison and the name of the commandant?

He replied, that the Brigadier Gen. Hand, formerly doctor to the eighteenth Regiment, commanded there and that there were in the neighborhood of one hundred men in the garrison, the greater part of them deserters from the troops of His Majesty there. The thing has not been clearly explained, they are deserters from the colonies.

He was asked if there was a great number of barges or bateaux prepared?

He replied, that there were in the neighborhood of ninety barges or bateaux already made ready and that they were employed daily in constructing others. There would have been a larger number but that a storm had destroyed seventeen of them.

He was asked if he was acquainted with a person called W. Liny? He replied, no.

He was asked what pay they received?

He answered, that he had received nothing during the three months that he had been at Fort Pitt.



He was asked what the people thought of this on this side of the Apalachians?

He replied, that they had kept quiet until they should have constructed the barges, and that then it was thought that they were for the escape of the chiefs and of congress, and that the people had planned to arrest them if they sought to escape in that direction.

The reading of the declaration having been made to him, he declared that it contained the truth, and that he had nothing to change, augment, or diminish therein, and has made his mark not knowing how to sign his name, the year and day as below given.

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HENRY x BUTLER.  
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PATT KENNEDY,  
Witness.

JAMES MORIN,  
Witness.

CARBONNEAU.  
Clerk.

[Endorsed:] Examination of Henry Butler at Post Vincennes before Mons. Rocheblave.

### Rocheblave to Carleton.

Translation from "Canadian Archives," Haldimand Papers, B. 122, p. 12.

*Sir:*—I have the honor of informing your excellency that, at the close of last month, I went to St. Vincennes to confer there with Lieut. Gov. Abbott upon the affairs of this region. I urged him not to leave, or at least to withdraw here and assume command. I was not successful in this attempt. I took for my return route the way of the Wabash and the beautiful river, ascending the Mississippi, and arriving at this Fort. My intention was to learn the disposition of the Indians, particularly of the Delawares. M. Abbott and I have been informed that they have entered into engagements contrary to the interests of the crown, and I wished to dissipate the impressions

to our disadvantage which our neighbors seek to inculcate daily. I learned upon my arrival at the beautiful river, the fifth of the present month, that two days ago a vessel had passed coming from Fort Pitt, which had taken two brothers who under the passport of Mr. Abbott had gone to trade with the Indians. I learned the next day that they had also taken M. Le Chance, officer of Militia at this place who left before me, going under my passport to journey to St. Vincennes. They took with the latter his childred, his effects and his negroes. They took likewise one of the two brothers of the first capture, with fifty packages of skins which they had, after making them understand that they should only put the blame on their passport and that they wished to take Mr. Hamilton, Abbott, and myself. We discovered that, by their language, they were seeking to inspire a spirit of independence among the people. The ship is large, pointed and with quarter netting having, according to some of the engagès, two cannon, and four, according to others, who say that two are masked, and forty soldiers, commanded by an officer from Philadelphia named Willing, who has three others under his orders. It is loaded with provisions. Congress has written by this occasion to the Spanish Governor at New Orleans, and the Commandant of that nation in this region has received a letter of the contents of which nothing has transpired.

As I had good reason to fear they would proceed only as far as the Illinois, I decided to abandon the project of visiting the Indians at the adjoining rivers, and by traveling day and night to arrive before them. I met at the entrance of the Mississippi the recruits of the two captives, whom they had landed stripped of everything, after having required of them that they would not take arms against their pretended states. I learned that they understood (if one could put faith in what some soldiers said to

some engagès of their acquaintance) that their aim is to possess themselves, with the aid of their supporters and others of their sort, of Natchez and Manchac, and to force to take arms in their favor several thousands of those located at the foot of the Mississippi, and to return with munitions of war.

If such is their plan, I think that in any event, they must prepare a way of retreat for the chiefs of this fatal revolt, who, taking refuge in a country covered with immense forests, surrounded by numberless rivers, and assisted by our neighbors, could not be dispossessed of it without a severe blow, and without causing immense expense in view of the local difficulties.

I would be all the more tempted to attribute this project to them, since after the battle of Long Island, the capture of New York, and subsequent events, when finally things were at their worst for them, they caused to be constructed a quantity of barges at Fort Pitt, and the project was proposed to the Spaniards, according to what a reliable person from their side has told me, and was only abandoned when they had taken heart again after the surprise of Trenton. Thus we can see the Congress keeping alive here the leaven of the rebellion. Your excellency knows better than anyone how important it is, for the interests of Great Britain, that they should not have immediate relations with a jealous power, and one which exists in a region where it can in safety foment the troubles in the colonies, subdued or to be subdued.

Four months ago, after the arrival of the boats from New Orleans, the Spaniards sent off by night three men to carry letters to Fort Pitt. They spread the story that they were going to hunt o the Beautiful River. Although I did not credit the report, I have only recently been assured of the fact by two savages who met them.

I regret exceedingly, Monsieur, that the state of affairs

does not permit you to maintain here some troops, by means of which, and the inhabitants could give aid to them, they could cut off all foreign relations, make the passage of the Beautiful River at least dangerous, and could plant themselves on the hills at the foot of the Mississippi, and compel our neighbors to contribute only their good wishes to the continuation of our troubles. If zeal and activity alone could procure us these advantages, as my honor is concerned, your excellency might remain without anxiety. Although stripped of everything, I would not cease to put forth every effort and would only desist from it, when there was no more hope. I place before you the declaration of a deserter from the colonies. He as well as others has asked that they might enjoy the benefits offered to those who leave the rebel army. I implore your excellency to give me directions upon this subject, as well as upon the deeding of lands which numbers of the refugees from the colonies are soliciting, conjointly with the inhabitants of the Spanish prairie. I have likewise sent you a journal of last year which sets forth the doings of the spanish with the indians of our shore to our prejudice, and a notice by which anyone on their side can warn me of any evil designs of the rebels towards me.

I must inform you that the roof of the house of the fort which is of shingles is entirely rotten being made twenty five years ago and that it rains in everywhere altho' I am continually patching it up. If there is much longer delay in putting on a new roof, a house which has cost more than forty thousand piastres to the Jesuits will be lost.

It grieves me to the heart, sir, to speak with you on the subject of finance. My expenditure for the first thirteen months of my government, has reached about one thousand pounds sterling, for which deduction should be made for the sum Mr. Hamilton was willing to pay. I have

taken the liberty of drawing upon your excellency in favor of Messrs. Unirat & Eirre, according to the account which I have had the honor of addressing to you. I have the unhappiness of learning that these same drafts, of which one is in the hands of Mr. Maisenville at Detroit and the other is held by Mr. de Seve at Montreal, have not been paid which renders all business nearly impossible and costs the more. If you were fully persuaded, sir, of the necessity of such expense and of the dispositions of our neighbors, if you were well informed that under the old government I have not had the wit to make a fortune, that at present I have not even the time to think of it, you would see that with resources so small for a country so large, I have been able to make redoubled efforts against our neighbors harboring bands of adventurers coming from the colonies, and have kept alive a sort of government in a region where jealousy and scheming have sought to introduce anarchy and confusion. I am persuaded that the goodness and the justice of your heart will not permit you to hesitate to order the payment which has not already been made. Your order to suspend all expenses which reached me July last, did not surprise me, having in some sort solicited it, by a letter in which I had the honor of pointing out that in a time where the State was required to make violent effort it was wise to forbid them here. But scarcely had I written thus, deceived by an insidious tranquility, when two well founded alarms came to disabuse me. Out of respect for your orders I ought in reply to point out to your excellency that from this day I have discontinued those for account of the King, and, judging them indispensable, have continued my own. I have strongly felt that the honor of the nation would not permit you sir to make costly a fanaticism of zeal so little proportioned to my means, and that you would need more of me than to see me the sport of our neighbors and of the savages.

I have on every occasion urged that I might be replaced by some other person better accredited, and, this being settled in my favor, I will go so far to-day as to even say that the good of the service requires this. A native born Englishman would experience fewer annoyances on the part of those who have this advantage, although those who are here are little worthy to be so styled. They whom I have had business with of that faction, and who have often wasted the attention due to other matters have given me too much vexation, besides one has need of a clear head here, and my mind is daily impaired and weakened by a thousand details, each one more disagreeable than the other, being obliged to be the *fac totum* of everything.

I have the honor to be with the most respectful consideration your excellency's very humble and obedient servant.

ROCHEBLAVE.

P.S. I have forgotten to inform you that in July last seeing myself without resources and threatened with a war which they told me on every side would not long be delayed, and almost positive that your excellency would not pay I begged Mr. Abbott to add to his account four hundred and four piastres that I had given in merchandise to the Indians of his government before his arrival, which he did. Meanwhile this same charge is carried into the accounts of the first thirteen months. I ought to reimburse it, if you have paid it, or to carry it in a deduction upon the current account if you admit it. I have forced myself to this kind of deceit, which the crisis alone could justify, to furnish me either the funds or time, and it troubles me all the more because it is foreign to my character.

Fort Gage le 18 Fr. 1778.

[Endorsed:] Mr. Rocheblave, 8th Feb. 78.

**Rocheblave to Lord George Germaine.**

Translation from "Canadian Archives," Series I, Vol. 15, p. 196.

FORT GAGE of Illinois, 28th February, 1778.

*My Lord:*—The unfortunate situation in which his Excellency, Mr. Carleton, found himself at the end of the year 1775, at the time of the invasion of the province of Quebec by the Colonists, obliged him to recall the garrison of this Country in order to fall back upon Detroit and Niagara. This general judged wisely that under the circumstances it were better not to have the few troops belonging to him widely dispersed, when in consolidating them lay his only chance of accomplishing anything. In consequence of his orders, Captain Hugh Lord, who had governed this country with general satisfaction evacuated it, leaving me in charge without troops, without money, without resources. This evacuation which the then crisis rendered necessary, and could alone justify, should have been remedied when the face of affairs had changed. But I think there is but little known in regard to this country. It will soon become the center of communication between the Colonists and the Spaniards by means of the Mississippi and the beautiful river, which offers them connection with the Gulf of Mexico and New Orleans. I have in vain set forth the danger of this, but have been powerless to prevent it from lack of means. I take the liberty my Lord of representing to you that the only means of saving this country and to guard against the numberless impediments to communication, is the immediate residence here of a lieutenant governor and troops. This statement of mine should be believed all the more since their coming would eclipse me. I wish that the nation could know that this is one of the best possessions, and that some encouragement could be given it.

Not having the honor of being known to you, my Lord,



I will not venture to take the liberty of expressing myself at greater length. I refer you in regard to the account to be rendered you, to Mr. Abbott, lieutenant governor at St. Vincennes, whom to our great regret threatening circumstances have obliged to go to meet the troops at Detroit. I will confine myself to asking your favor for an old soldier on half pay in Europe in 1748 and in America in 1763.

Having from fortune only a wife and children, I beg of you that they may be given the pension of the commandants at the Posts. I have the honor to be with respectful consideration, My Lord, your very humble and obedient servant.

ROCHEBLAVE.

[Endorsed:] Fort Gage of the Illinois, Feb. 28th, 1778, Mr. de Rocheblave, R. 13th Sept.

#### **Rocheblave to Bosseron at St. Vincennes.**

Translation from "Canadian Archives," Haldimand Papers, Vol. 122, p. 35.

[DETROIT, April 25, 1778.]

By a deserter arrived from Fort Pitt, we have learned that the people of Philadelphia having shaken off the yoke of Congress, have raised the chain which prevented the ships of the King from passing, and have by so doing returned to their allegiance to his majesty. Congress had fled precipitately toward the mountains, after the complete rout of its army, that the people sigh ardently for peace in order to escape from the most frightful misery. The chiefs of the revolt are saving their effects by the route to Fort Pitt.

A boat descending from the said Fort, has taken the Srs. Becquet and their packages. Mr. La Chance has submitted to the same fate with his brandy. Although the colonists have never had the ill will of this country, this is

a certain proof that they would spare them little, if they came there in force. Certain rumors which are abroad as to the bad disposition of the savages, make me desire to speak with the Chiefs of the Loups. I beg of you if you if you are at the Post to induce them to come and see me.

(The above extract of a letter from Mr. de Rocheblave dated Feb'y 28, 1778, was communicated by Lieut.-Gov. Abbott to Lieut.-Gov. Hamilton, and by him sent to Gen. Carleton—under date of April 25, 1778, from Detroit.)

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**Rocheblave to Lieut.-Gov. Hamilton.**

Translation from "Canadian Archives," Haldimand Papers, Vol. 122, p. 33.

After Midnight, March 17th, 1778.

*Sir:*—At supper time there entered this evening a delaware war chief who reported that five or six hundred rebels are making a fort on the river of the Chaouanons which is eighteen leagues above the mouth of the beautiful river. This being true we are upon the eve of great events in this country.

He said that his people had killed four of them and had lost a chief. I am more and more convinced that this Country is to become their retreat and that we need troops here. The Sieur des Groselliers the present messenger is about to go in search of merchandise for Mr. Cerré. As we are in extreme need of everything, I beg you to facilitate his progress in every way. If the rebels secure possession, I will warn you in time to stop his return. I have the honor to be, sir, your very humble and obedient servant.

ROCHEBLAVE.

To the Hon. Henry Hamilton, Esquire, Lieut. gov. of Detroit and dependencies thereto.

[Endorsed:] From Mr. Rocheblave to Lieut. Govr. Hamilton of 17 March, 1778.

**Rocheblave to Lieut.-Gov. Abbott.**

Translation from "Canadian Archives," Haldimand Papers, Vol, 122, p. 89.

FORT GAGE, 20th June, 1778.

*Sir:*—The news which the boats arriving yesterday bring us are confined to the acts of brigandage done on the lower Mississippi by the party of Mr. Willing which has pillaged indiscriminately to the extent of their power the English subjects, after having once left them in peace, and received their oath of neutrality.

Conduct so odious, so worthy of an Arab has already begun to receive a part of the return it merits, a detachment of this corps having been surprised to the number of sixteen at Manchac, where a party from Pensacola killed four of their men and carried off a dozen. As they hastened to richer prey, they left the Natchez without pillaging them but they afterward sent a detachment of thirty-two men in a boat with six pieces of cannon to make this expedition. But the people of the Natchez becoming wise by the fate of the others, attacked them and having killed seven, have taken the rest as well as the boat and cannon, and have managed to prevent them from coming up the river, being five hundred under arms with the savages, having made up their minds not to permit them to take all of their goods. I hope always to have the honor of seeing you, having reasons which should engage you to come without delay. I have the honor to be with sincere attachment, Sir, your very humble and very obedient servant.

ROCHEBLAVE.

**Rocheblave to Thomas Dunn, Treasurer, Quebec.**

Translation from "Canadian Archives," Haldimand Papers, B. 122, p. 101.

FORT GAGE of the Illinois, the 4th July, 1778.

*Sir:*—I have drawn today upon you in favor of Mr. Dejean for twelve hundred and sixty two pounds and a

half sterling for to pay the expense since the twenty fourth May of last year until today. I have the honor of giving you advice by the present, praying that you will honor it. The uncertainty in which I am as to whether my draft of last year has been paid, has occasioned me an increase of expense by the high prices and the state of dependence in which I have been kept.

And meanwhile the information concerning the doings of our neighbors the Spaniards with the Americans require that I should do even more than before, if my services are to be of any use to this Country.

I offer them freely. I have the honor to be with the most entire consideration, etc. ROCHEBLAVE.

[Endorsed:] 1778, Letter from Monsieur Rocheblave, Commandant at Fort Gage, Dated 4th July.

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**Rocheblave to Thomas Dunn, Treasurer, Quebec.**

Translation from "Canadian Archives," Haldimand Papers, B. 122, p. 102.

FORT GAGE, 4th July, 1778.

Bill of Exchange, £1261. 10 sterling.

By this bill of exchange, it will please you to pay, the second and third of the same date and tenure being unpaid, to Mr. Dejean or order the sum of twelve hundred and sixty two and one half pounds sterling to liquidate the expense incurred in this country since the 24th of May of last year up to this day, according to the advice of your very humble and very obedient servant.

ROCHEBLAVE, Commandant at the Illinois.

To Mr. Dunn, Treasurer General of the Province of Quebec, at Quebec.

[Endorsed:] A copy of a bill of exchange drawn by M. Rocheblave on Mr. Dunn, for \$1262. 10 sterling, Fort Gage, the 4th July, 1778.

**Rocheblave to Carleton. (?)**

Translation from "Canadian Archives," Haldimand Papers, B. 122, p. 91.

*Sir:*—I have had from time to time the honor of informing your Excellency of the journey of Mr. Willing, a native of Philadelphia, a would be captain for Congress, who left Fort Pitt last winter, directing his way, at the beginning of February, towards the lower part of the Mississippi, having under his orders in a bateaux four officers and about forty soldiers. By bateaux arriving from New Orleans we learn that he put himself at the head of three hundred rogues, after having perpetrated every kind of brigandage in the English establishments, pillaging to the extent of more than a million and a half of piastres in negroes, indigo, silver and skins, without counting a prodigious quantity of merchandise of all sorts, and munitions of war. He has destroyed English Arkansas, which is no longer anything but a desert, and of which the greater part of the inhabitants have joined the troop. He conducted the remainder to Spanish Arkansas, and there, having found a kind of portrait of His Britannic Majesty they carried it along on the end of a pole, and then with a gun fired a number of shots at it, without the commandant offering any opposition to this indecency. They went from there to the largest English establishment at Natchez, a hundred leagues distant from Arkansas, and an equal distance from New Orleans, but it not being very rich they attacked it in the night and carried off several persons to serve them as hostages. They hastened from there to gain the habitations of the merchants. These required two of them to sign a promise of neutrality, and to give their word of honor to leave them in peace, but, after gathering together a band of rascals of all nationalities, they began to pillage and ravage with a fury more worthy of the savages who surround us than of a civilized nation. And, as if the names of brigands was not enough for

them, they have wished to add that of perjurers, in refusing to give their share of the pillage to the ruffians who joined them only upon the promise to do so. In leaving Manchac for New Orleans they left behind a dozen men to gather the animals together. A detachment coming from Pensacola by the lakes and the river D'Iberville, which is an offshoot of the Mississippi seventy miles from its mouth, killed three of them and led the rest captives to their garrison. Willing came in search of the animals and caused the houses to be set on fire. I forgot to say that upon their arrival at Manchac they surprised and boarded a frigate of eighteen cannon. Odious as may be their doings, the preservation of this country is due to their course of rapine and perjury. Mobile and perhaps Pensacola would perhaps have succumbed, if more desirous of conquest than of booty they had used more moderation. The partisans of the government, although to a great degree already disposed to take arms in their favor, would have been forced to do so by a band of adventurers, but that some seeing the devastations, and others the broken faith in depriving them of their share of the spoils, thought only of getting away secretly to Natchez. Willing, who was ignorant of this and who was counting on his adherents, sent after the pillagers two officers with thirty soldiers in a vessel carrying six pieces of cannon. The inhabitants of Natchez, embarking to the number of six hundred, killed seven of their number, among whom were some officers, and have captured the rest. Willing used money by the handful to recruit soldiers at New Orleans. Such is as far as the present time, sir, the state of this expedition, the progress of which as your excellency may judge, may be attributed only to the conformity of sentiment of the great part of the people of this country with the other Americans, which might have been kept under control by a few troops joined by those well disposed.

These would have overawed our neighbors, whose fraudulent neutrality has been more fatal to us than a war, which would have permitted us to have put them out of the account before they had strengthened themselves.

You will remember sir, that I have had the honor of pointing out to your excellency that there were arms and habiliments for more than a thousand men in the magazines of the King of Spain at New Orleans. Upon the arrival of Willing, there were taken away three or four thousand pieces of blue and white cloth, which under frivolous pretexts have been sold to the priests, while the merchants have not been able to procure any. More than two thousand pieces and a great quantity of powder have already been sold there, for the service of the colonies. Their agent will come down one of these days to load two vessels. It is hoped, by the means of the French and the Spanish, in case the Natchez stand firm, to take over three hundred pounds of powder destined down below for them, as well as the products of their robberies.

Three bateaux have lately passed on the beautiful river, going from Fort Pitt loaded with provisions to New Orleans, with four hundred men. I have hastened off a party to get the start of them if possible, and to forewarn the Natchez. They say these bateaux will be constantly followed by others, so that this fall the beautiful river will be covered with bateaux carrying provisions, which they dare not confide to the sea, if your excellency does not see to this promptly.

The new Spanish Commandant has orders to construct four forts at the Illinois, where they expect a battalion this fall. They will form two in the City. The old officers, on half pay from France have places there, and the ships have gone to Vera Cruz in search of soldiers. Discouragement is extreme here among the inhabitants, from the practices of our neighbors and some of the native English,



much less patriots than the so called subjects, if these were backed up. But I repeat with regret that with troops the ground might have been held. Without this, nothing can be hoped from them, so greatly have they been made to fear. The Spanish have announced, to induce them to come to them, that they will give the means of subsistence during three years, ground, one pair of oxen, and the necessary implements for cultivating the soil. So far they have not been able to gain over any one, which is no small proof of the preference they feel for this government. But it is to be feared that the crisis they have now reached will cause this to disappear. If the government would run the risk of losing three or four hundred pounds sterling, which it would cost to export the harvest of the inhabitants of New Orleans who could be reimbursed by the sale, we should have the pleasure of seeing rise and fall, perhaps for ever, the Spanish battalion which can not subsist without provisions from this shore, their harvest having failed. It would be neither possible nor reasonable to prevent the inhabitants from selling to them unless the failure could be proved to them. They could not draw these from the towns, except at immense expense and with invincible obstacles during winter, which would make them promptly renounce all projects of establishment. If I do regret not being rich, it is upon an occasion which furnishes us the means of avenging ourselves, without exposure and without consequences, upon a thousand enemies, and for acts of hostility to which I have to be all the more sensible, as, allowing something to circumstances, I have been prompt to do that which could injure them.

The crew of the two bateaux which brought the new commandant have settled themselves in the habitations of the English, deserted by all that had escaped or been despised by the Americans. The proprietors have carried

their complaints to New Orleans. I await a reply to those I have brought here. I await with the greatest impatience the orders of your excellency, or rather I beg of you to give them to some other person a native Englishman, in order to escape the too common jealousies of some, who having merely the name, and whose affections are all for the Americans, are seeking to thwart all my efforts, intriguing with our neighbors and poisoning with the venom of their hearts the purest intentions. I assure you, sir, that, if I had the advantage of being born English, I should have retained but few of those who are here who seem to me to be the shame and disgrace of the nation. Let no one accuse me of prejudice. Every honest man has always his rights and I have certain ones exempt from national prejudice.

A native Englishman would not have done for them what I have done, and for the same reason would have controlled them better. Reckless spirits for the most part, they thought that the government owed them everything and that they owed nothing to the government. They raise a cry for liberty in all that concerns them, while their minds and hearts are full of schemes of oppression for all that does not pertain to themselves. Will your excellency deign to pardon the expressions coming from a heart shattered with grief which only fall upon the unworthy members of a race I have always admired and respected, and to whom I may say I have been assured of the esteem of all others, and of the generous and enlightened nations who might have been in their place. I beg you to see, sir, only an excess of zeal in the urgent solicitations I have the honor to make to you to send at once a body of troops here, to prevent the importation of an immense quantity of all sorts of aid for the colonies. All the alarms I have sought to give will be only too well realized. We are upon the eve of seeing

here a numerous band of brigands who will establish a chain of communication which will not be easy to break, once formed. If by the schemes of the Spanish the Natchez are conquered, there will be established an armed force in this country. You have no time to lose to prevent this misfortune. If militia can be counted for anything at present, a person of discretion with troops would attract more adherents than would be believed. Inclination is, in spite of abandonment and distress, still for the government, but it is more than time to revive their drooping courage or all will be lost here.

The Indians are in general well enough disposed, but it is difficult to control them with so small a force, besides without numbers one can not inspire respect. All that can be done is to destroy the impressions that our neighbors and emissaries of the colonies seek to instil. I am struggling against this all I can, in order to gain time and keep the door open.

My expenses since the twenty fourth of May of last year to the present time amounts to thirteen hundred and fifty seven pounds sterling, of which I have drawn upon Mons. Abbott for four hundred and four and a half, as set forth in the expenses of the first thirteen months, to be deducted if the account has been paid of which I am ignorant as yet. I draw upon Mr. Dunn for this sum, and implore your excellency to order this payment, being overcome with demands.

With a letter of credit upon some merchant accredited for a limited sum upon the merchants here, a saving might be made upon the expenses, and one would not be placed in a shameful and injurious dependence, but would be master of his undertakings. I will send the account by the first opportunity being too much occupied today. I entreat your excellency, if I can be of no more use here, when you replace me to grant some assistance to a father

of a family in pecuniary difficulties. I recommend myself to you and assure you of the respectful consideration with which I have the honor to be, sir, your very humble and obedient servant.

ROCHEBLAVE.

FORT GAGE, the 4th of July, 1778.

[Endorsed:] 1778, from Mr. Rocheblave, commanding at the Illinois of the 4th of July. Rec'd at Montreal, Canada, Enclosed in Lt. Govr. Hamilton's letter of the 6th August, marked Detroit No. 7.

### Rochelblave to Carleton.

Translated from "Canadian Archives," Series B. 97, 1, p. 1.

*Sir:*—I steal a moment from my guards in order to have the honor of informing your excellency that the night of the fifth or sixth of July last three hundred rebels under the orders of Mr. Clerke [?], the self-styled Colonel, arrived here where they have made me prisoner.

The majority of the inhabitants knowing the manœuvres which had occurred in the lower part of the Mississippi were resolved to defend themselves, but the dealings of our neighbors, the Spaniards and the abuse of the treacherous English, especially those named Daniel Murray, Richard Winston and John Hanson, prevented them from doing it. There remained to me for a resource Mr. Le Gros who prepared himself with forty men to come and join me from Fort Vincennes, where he is captain of militia, but the rebels having landed on the beautiful river, sixty leagues from here, crossed the neck of land which separates that river from this place, and prevented that. I regret so much the more that he did not arrive, as a number of men on seeing me supported would have joined themselves to us, and we would have been able to hold the balance of affairs in opposition to those who were destitute and in extremities.

Uselessly for two years past, I have been representing the necessity of cutting off the communication between the beautiful river and the Mississippi, carried on with the Spaniards. It is open, and I hope that there does not result more inconvenience than I have predicted. I beg your excellency to pay the expenses for which I have drawn upon Mr. Dunn. I entreat you to have pity upon the family of Captain Hugh Lord left with mine without resource, their effects and mine having been for the most part seized and sold. I leave here a wife and seven children deprived of the first necessities of life. They say that I depart to morrow for the Congress. I recommend myself to you to be exchanged. I say nothing to you of my prison, which there is nothing like in Algiers. I have lost between Mr. Lord and myself in slaves, animals, goods and utensils, nine thousand piastres. I hope that your excellency will have regard to our families, and will cause them to receive some aid by the way of Mr. De Feire, merchant at Montreal, who could give his orders to Mr. Cerré, merchant here. I have neither a good pen nor any other paper. Your excellency will excuse a prisoner who writes upon his knees. Sick as he is, the time has come when he must depart from the country. I have the honor to be with the most respectful consideration your excellency's very humble and obedient servant,

ROCHEBLAVE.

FORT GAGE, the third of April, [August?] 1778.\*

\* The date of this letter, as copied from the "Canadian Slaves," appears to be *April* 3, 1778, but this is a palpable error, as Rocheblave refers in it to his capture which took place in July, 1778. It probably was written August 3, 1778, as he speaks of being made prisoner in "July last," and also mentions his probable departure the next day "for the Congress," that is to Virginia, and we know that he was sent to Williamsburg not long after his capture. It will be noticed that he says he was taken prisoner the night of the fifth or sixth of July, while all other accounts represent this as occurring on the night of the fourth of that month.—E. G. M.

## COURT OF ENQUIRY AT FT. CHARTRES

By JOHN MOSES,

Secretary Chicago Historical Society.

THE "Illinois country," although ceded by the French to Great Britain two years previously, in consequence of the armed opposition of its native proprietors, was not reduced to actual possession, until the surrender of Fort Chartres, its capital, "with its barracks, magazines, and artillery," on October 10, 1765.

It was not considered "sound policy" by the British government to encourage, nor even permit, British settlements within this newly-acquired territory. It was feared that they would not only weaken and retard the growth of the older communities on the Atlantic, which they desired to foster, but that the inhabitants would eventually become, as stated by the governor of Georgia, "a separate and independent people who would set up for themselves."\*

The country was to be held under a military government, and the French inhabitants, less than two thousand in number, who elected to remain in the country were to be protected in their religion, and treated kindly, receiving the same rights and privileges as native-born subjects of the king. Trade was to be encouraged, and the most friendly relations maintained with the Indians.

Thomas Sterling, then a gallant young captain in the Forty-second Highlanders—the celebrated "Black-Watch" regiment—who subsequently fought his way up to a major-generalship and a baronetcy, to whom Fort Chartres was surrendered, remained in command but a short time, and

\* "Report of British Board of Trade," 27.

was succeeded by Maj. Robert Farmer in Dec., 1765, by Col. Edward Cole, in 1766-8, and he by Col. John Reed. The latter was relieved at his own request, and was followed Sept. 5, 1768, by "John Wilkins, Esquire, lieutenant-colonel of his majesty's Eighteenth or Royal regiment of Ireland, and commandant throughout the Illinois country," as he described himself.

Upon learning that the country, where they had lived so long and thrived, had changed owners, a large portion of the French removed to the west side of the Mississippi. Those who remained became difficult subjects to govern. They regarded their new rulers as their hereditary enemies, and admired neither their laws, manners and customs, nor their regulations concerning trade.

A few British families and soldiers from the fort occupied some of the farms which had been abandoned by the French or sold for a nominal sum. The principal trading of the country, it appears, was in the hands of what was called "The Company," a firm composed of Boynton, Wharton and Morgan. It dealt in cattle and produce, and had stores at Kaskaskia and Fort Chartres.

The French and Indians in their free-and-easy methods of dealing with each other had their disagreements, but these were easily settled in comparison with the more serious disputes which grew out of the trade with their new neighbors.

As a remedy for the evils of a strictly military administration, Col. Wilkins, pursuant to orders from Gen. Gage, Nov. 21, 1768, granted commissions of the peace to seven of his subjects, English and French, who together were to "form a court of judicature to determine all causes of debt," but without the intervention of a jury. George Morgan, manager of "the company," who was very unpopular with the French on account of his supposed hostile interests, was made the president of the court.



The commandant was inclined to favor his appointee, the French petitioned and remonstrated against him, and a small rebellion broke out in opposition to the newly-established judicial tribunal.\* It suited neither the British, who preferred the finding of a jury and objected to the rulings of a French magistrate; nor the French who had no respect for the verdict of a jury and a strong proclivity against British justices-of-the-peace.

Courts of enquiry, as they were called—ordered by the commandant, being more in consonance with military rule, appear to have been adopted as a mode of settling civil disputes in place of the unsatisfactory magistrates' court.

One of these, of which we have only a meagre account, was ordered Jan. 13, 1769, to adjust accumulating and aggravating disputes between George Morgan and certain complaining French citizens. The proceedings, lasting until Jan. 20, were rancorously exciting and the result not satisfactory to either party.\*

Another one of these courts of enquiry was ordered by the commandant upon the complaint of one Richard Bacon to settle certain matters of "personal abuse" from, and violations of contract by, the same George Morgan, before mentioned. The complete record of this proceeding has been preserved among the archives of the State Historical Society of Wisconsin, which, through the courtesy of R. G. Thwaites, corresponding-secretary, we are permitted to have the pleasure of laying before our readers.

The court convened, Sept. 24, 1770. Among its members was the noted Thomas Hutchins, then an ensign in the king's service, subsequently the geographer—surveyor-general, of the United States; and among the witnesses were Patrick Kennedy, who wrote the "Journal of a Tour up the Illinois River in 1775," and a Mr. Winston, who, it is fair to infer, was the Richard Winston who figured at Kaskaskia as commandant in 1779.

\* *The Historical Magazine*, 1864, VIII, 262, 270.

The record, beginning with the original contract between the parties, affords an inside view of the condition of affairs in Illinois at this time, as interesting as it is amusing:

**"Articles of Agreement made and Concluded & Agreed** upon this 21<sup>st</sup> day of march in the year of our Lord one thousand Seven hundred & Sixty Eight, by and between George Morgan, for himself, & John Boynton & Saml. Wharton of the City of Philadelphia, Merch: of the one part, & Richard Bacon late of Providence in New England now Residing in the Illinois of the other Part witnesseth

"That whereas the said Boynton, Wharton, & Morgan, and Rich<sup>d</sup>. Bacon have Agreed to Enter into a Copartnership, to & jointly to form a Settlement & Improve a plantation in the Illinois Country to raise Stock, Indian Corn, Tobacco, Wheat, & other Articles for the Joint benefit of them the said Boynton Wharton & Morgan & Rich<sup>d</sup>. Bacon.

"For the better Carrying the design into Execution the said Boynton Wharton & Morgan do Covenant Grant & Agree on their parts as follows Viz

"1<sup>st</sup>. That they will furnish a certain plantation which they purchas'd Situate in the Grand Prairie on the road between Fort Chartres & Kaskaskias, to be by them and the Said Rich<sup>d</sup>. Bacon Improv'd for the purposes aforesaid, and that the said Rich<sup>d</sup>. Bacon shall have full Liberty to make all such Improvements thereon as they may now & hereafter agree upon, particularly to Cut & make use of all Trees & Timber thereunto belonging, as he may think proper for the joint Interest of the said Boynton Wharton & Morgan & him the said Richard Bacon.

"2<sup>dly</sup>. That the said Boynton Wharton & Morgan will furnish every necessary in their power, for the better Carrying on the Said improvement &c; at the joint risque & Expence of them the said Boynton Wharton & Morgan

& Richard Bacon & that they will wait for the payment thereof from the Stock, grain, Tobacco &c; to be rais'd from said Plantation.

"3dly. That they will advance all Monies which may be necessary for the wages of Men to assist in working on the Said Plantation at the joint Risque & Expence aforesaid.

"4thly. That they will Stock the said plantation with as many breeding Sows, Cows, and with Cattle Horses &c; as they may esteem necessary or be required thereto by the said Richard Bacon if to be procurd or in their power, at the joint Risque & Expence of them the said Boynton Wharton & Morgan & the said Richard Bacon & that they will wait at least twelve months for the payment thereof, or if necessary 'till they Can be paid on the Stock &c; rais'd on the said Plantation.

"1st. And The said Rich<sup>d</sup> Bacon on his part doth hereby Covenant, Grant, bargain & agree as follows Viz.

"That he will at the same Time without any fee or reward other than what may arise from the Improvements of Raising Hogs, Cattle, Tobacco, Grain and other produce for the joint benefit of the said Boynton, Wharton, & Morgan, & Richard Bacon, & that he will Employ and Oversee all such persons, as may be necessary for Carry-ing on the Improvements &c; aforesaid, at the joint Risque & Expence of the said Boynton Wharton & Morgan & the said Richard Bacon.

"2dly. That he will build one Log House on the aforesaid plantation & that he will fence in at least fifty acres thereof at the joint Cost of the said Boynton Wharton & Morgan & Richard Bacon as aforesaid, for the more Convenient raising of Cattle, Hogs, Grain, Tobacco &c &c;

"3dly. That out of the first produce from the said plantation, that the said Boynton Wharton & Morgan shall be repaid all the monies they may advance for the Improvements and Expences of the aforesaid Plantation.

"4<sup>thly</sup>. That he will build proper Stables, Sheds, Pens &c; for the better keeping the Cattle Hogs &c; for the reception of the produce of the said plantation at the joint risque & Expence as aforesaid.

"It is also further mutually Covenanted, Bargain'd & Agreed, that all the benefits & Profits and Advantages that shall or may arise from raising of Stock, Tobacco, Grain, & other produce shall be equally Divided between the said Parties.

"That is, that the said Boynton, Wharton, & Morgan, shall have, be entitled to, & Enjoy one half part thereof, & that the said Rich<sup>d</sup>. Bacon shall have, be entitled to & Enjoy the one other half part thereof.

"And that this Copartnership shall Continue & last for Seven Years from the date hereof unless the aforesaid Rich<sup>d</sup>. Bacon shall Choose to decline the same at the Expiration of One year from the date hereof.

"And that all the Improvements made on the said plantation shall be & remain at the Expiration of the said Term of years to them the said Boynton, Wharton & Morgan, without any payment or allowance whatsoever.

"Likewise that the said Boynton, Wharton & Morgan shall have & Enjoy full Liberty without any payment thereof, to place on the said Plantation, any number of Cattle, & Horses, which they may purchase on their own accounts & which the said Rich<sup>d</sup>. Bacon may not incline to become Concern'd in, & the said Rich<sup>d</sup>. Bacon Engages & promises, to take the same Care of them, as the Stock which he may be interested in.

"Sign'd BOYNTON, WHARTON, & MORGAN.

"Seal'd & Delivered in the presence of J. Rumsey.

"Sign'd JOSH RIGBY."\*

\* Endorsed: "Copy of the Articles of Agreement Between B [oynton] W.[harton], & Richard Bacon. No. 4."

**"Proceedings of a Court of Enquiry** on a Complaint Exhibited by Mr. Richard Bacon against Geo: Morgan Esqr. for *Personal Abuse*, and not Complying Strictly to the Tenour of his Agreement with him Concerning the Improvement of a Farm or Plantation, Situated about Six Miles from Fort Chartres on the Road from thence to Kaskaskia. By Order of Lieut. Colonel John Wilkins, Commandant at Fort Chartres & the Country of the Illinois &c; &c; this 24<sup>th</sup>. Septemr. 1770:

"President, Lieut. Lewis Wynne. Members: Lieut. Alexr. Fowler, Ensign Thos. Hutchins, Ensign Wm. Richardson, Ensign Wm. Conally.

"The Court Order'd Mr. Bacon before them, who deliver'd the follow'g Annex'd Papers, which the Judge Advocate Read Publickly in Court, all Parties being present.

"Articles of Agreement, between Messrs. Boynton, Wharton, & Morgan, & Mr. Richard Bacon, Annex'd to the Minutes; as also Mr. Bacon's Memorial to Colo. Wilkins, & his Paper to the Court Representing a State of his Grievances.

"Question proposed by ye Court to Mr. Bacon:—'As you seem Mr. Bacon to think that Mr. Morgan has Settled Mr. Elliott on Land you thought belonged to the Plantation, you had agreed with Mr. Morgan to Improve, according to the Annex'd Articles, The Court would be glad to know the Boundaries of Said Plantation, also that you wou'd point out to them the many Grievances & Injuries you so heavily Complain of Receiving from Mr. Morgan?'

"Bacon.—'I Cannot point out the Boundaries of the whole, but I Can point out the Boundaries of that part of the Plantation now in Dispute.'

"Court.—'How Came it that Mr. Morgan pointed out the Boundaries of one side of the Plantation, without pointing out the Boundaries of ye whole?'

"Answ. Bacon.—'Mr. Morgan told me that he did not know the Boundaries of the other Parts of the Plantation.'

"Court.—'When the Agreement was made with Messrs. Boynton, Wharton, & Morgan, & you, Concerning the Improvement of said Plantation, that is to Say, when you first Enter'd into Articles of Agreement with them, did you then know, or understand, that Mr. Morgan had any other Lands than the Lands Alluded to in the Articles of Agreement?'

"Ansr. Bacon.—'All that I know of this matter is, that Mr. Morgan told me, that he had fourteen Acres of Land in Front, which land extends in length from the Roches leading to Kaskaskia, to the Banks of the Mississippi opposite thereto: But that about Six or Eight months afterwards, Mr. Morgan told me that he had Purchased Eight Acres in Front, more, which I understood Join'd the first purchased Plantation on the East side.'

"Question proposed by Mr. Morgan:—'From whom Mr. Bacon did you Imagine I had purchas'd the last Plot of Land?'

"Ansr. Bacon.—'I dont know. I never heard from whom.'

"Court.—'Did you know Mr. Bacon that Mr. Morgan had any other Plantation, or Lands whatever, in the Country of the Illinois, at the Time you Enter'd into Articles with him?'

"Bacon.—'I know of none except the Fourteen Acres already mentioned.'

"Court.—'If you dont know the Boundaries of your Plantation, how came you to Imagine that Mr. Elliott has Encroach'd upon you?'

"Bacon.—'I know the Boundaries on the side next to Elliott.'

"Question Mr. Morgan.—'In what manner Mr. Bacon do you apprehend Mr. Elliott hath Encroahed upon you?'

"Bacon.—'Mr. Elliott has Settled on a Place, which I

had Clear'd & made some Improvements upon, whereon is a Spring which I likewise had Cleared & made Convenient for the watering of my Cattle, & hath also taken Possession of a Shed or House which I had Built.'

"Court.—'Was this House or Shed just now mentioned, built, before Mr. Morgan left the Illinois Country in the beginning of July 1769, or had you his Leave in writing or otherwise, to Build Said House or Shed?'

"Bacon.—'The House or Shed was not Built when Mr. Morgan left the Illinois Country in 1769, nor had I his leave in writing for Building of it. But I understood from what Mr. Morgan has frequently Said on talking of the Improvements of the Plantation now in Dispute that I might make Improvements & Build on the Land which Mr. Morgan hath now settled Mr. Elliott upon.'

"Mr. Morgan.—'Is Mr. Elliott Settled between the Face of the Roches & the Banks of the Mississippi?'

"Mr. Bacon.—'No, he is not. He is Settled on the Back part of the Roches.'

"Mr. Morgan.—'Did you Mr. Bacon make any use of the Shade or House which Mr. Elliott now Occupies?'

"Mr. Bacon.—'No, I did not at the Time Mr. Elliott took Possession of it.'

"Mr. Morgan.—'Did not I tell you Mr. Bacon, when I Settled you upon my Plantation that I was not Certain, whether the Plantation wou'd extend to the Eastern Roche or not?'

"Mr. Bacon.—'You did say that you was not Certain whether Your Plantation wou'd Extent from one Roche to the other or not; but that if it did not extend so far, you intended soon to Purchase the Adjoining Lands, & wou'd give me leave, in Consequence of Said Purchase, to make what Improvem<sup>ts</sup>. I thought might be necessary or advantageous to him Mr. Morgan & myself.'

"Mr. Morgan.—'Hath Mr. Elliott made any Improve-



ments on the West Side of the Roches in the Grand Prairie?’

“Mr. Bacon.—‘No, he has not.’

“Mr. Bacon being desir’d by the Court to proceed to prove the Charge of Personal Abuse—he said as follows:

‘Upon going, to Kaskaskia to Settle Accounts with Mr. Morgan, & upon getting there Mr. Morgan Ask’d me if I had got the Staves Ready that he had been talking to me about some time before. On my telling him I had not, Mr. Morgan Demanded my Reason. I told him that I Came to know how my Accounts Stood, before I cou’d do anything more to his Plantation. Upon which Mr. Morgan Call’d me a Damn’d Rascal & a Scoundral, & added that I had Deceiv’d him.’

“Mr. Morgan.—‘Have you Mr. Bacon any Evidence to prove that you Desir’d a Settlement with me at the Time you have alluded to?’

“Mr. Bacon.—‘I have no Evidence Present. But one Lowdon a Servant of Mr. Morgan’s was Present when Mr. Morgan & I had the Dispute, and I think he must have heard what Pass’d.’

“Mr. Morgan Addressing himself to the Court Said—‘On finding that Mr. Bacon had repeatedly Said, that a Certain Gentlemen had told him, (Mr. Bacon) that Mr. Morgan only intended to make a Slave of him; had brought down Mr. Elliott from Ft. Pitt for the same purposes; & that neither of them wou’d ever get a Farthing for their Services; & that he (Mr. Morgan) on finding that Mr. Bacon had Repeated this in many places, did then say to him, that whoever that Gentleman was who told him so, he was A Rascal & a Scoundrel, & beg’d of Mr. Bacon to tell him so.’

“Mr. Bacon.—‘Did you not Mr. Morgan send for Mr. Elliott & Consult with him about taking the whole of my Stock into his hands, & told him at the same time what

an advantageous matter it wou'd be to him? And also, did you not desire Mr. Elliott to find out if Possible what Sum I wou'd take to leave the Plantation?'

"Mr. Morgan.—'I did propose to Mr. Elliott to purchase Mr. Bacon's Stock, finding him intirely Discontented & Cou'd not Divine for what? and I also added to Mr. Elliott, that I wou'd advance the money for the purchase if him (Mr. Elliott) & Mr. Bacon cou'd agree.'

"Mr. Morgan to Mr. Bacon.—'Did you not hear me give particular Orders for you to be Supply'd with a Copy of your accounts before I left the Illinois Country in 1769?'

"Mr. Bacon.—'I heard you tell Mr. Brown to Supply me with the Copys of my Accounts, but Mr. Brown never sent them [to] me.'

"Mr. Morgan.—'Did I not Settle Accounts with you at the Plantation in May or June 1769, & in Presence of Mr. Brown after every Article you objected to in the Account?'

"Mr. Bacon.—'Mr. Morgan Did respecting the Fort Chartres Accots: only. I do not remember that the Kaskaskia Accots. was Examined at that Time. And I think it was only my Private Accot: that was Examined.'

Upon this Mr. Morgan laid his Books before the Court. By Said Books it appear'd that a great many Articles had been Alter'd both in his Publick & private Accounts. The Court gave Mr. Bacon by the request of Mr. Morgan a Copy of every Article in his Accounts to which he had made the least kind of objection, & desir'd him to make what alteration he thought proper—with this Remark—'I am determined not to differ with you Mr. Bacon, altho you have used many unbecoming means in order to force me to it.'

"The Court after Examining the whole of the Accounts between Mr. Morgan & Mr. Bacon, in which it Appear'd that Mr. Morgan had granted every Indulgence, & even had Indulged Mr. Bacon with making many of the Charges

himself, thought proper to adjourn till to morrow morning Nine of the Clock, in Order to give Mr. Bacon & his Friends Sufficient time to Recollect themselves. The Court being Determin'd to Examine into the Source of Every matter Exhibited by either Party."

"September the 25<sup>th</sup>. 1770. The Court agreeable to adjournment met this morning at nine of the Clock. When Mr. Bacon Produc'd the Annex'd Paper, which was Read in Court by the Judge Advocate, all Parties Present,[:]

**"Representations" by Mr. Bacon.**

"Gentlemen of the Court, in order to save you much Trouble, & that nothing may be Omitted I may think of Consequence to my Case, I have transmitted my thoughts again to paper. What I Set forth in my Petition respecting Mr. Elliott is that he was Settled to my Prejudice, that is, his Vicinity & the Encouragement given to him by Mr. Morgan is of great disservice to me, and Absolutely Contradictory to the intent Purport & honest meaning of the 4<sup>th</sup> Article of our Agreement, whereby he is oblig'd to buy all Stock requir'd by me & in every respect to do his utmost to promote the Interest of said Plantation. Whereas on the Contrary he has Settled a man just under my Nose & made it his Business to deprive me of my Customers to serve him.

"It is plain & Evident to any Impartial person, that it was impossible for me to make anything without Every Effort of Mr. Morgan, or I Shou'd never have agreed to Cede the Improvements and Everything at the Expiration of the Term. With respect to the land—there is no Spot or quantity mention'd in the Articles. It was Equal to me where, how much or how little if Sufficient for my present purpose, & it is not to be Suppos'd that I wou'd go and improve upon another man's land if I knew it; the land mention'd in the Articles is said to be in the Grand Prairie,

whereas my Improvements are for the greatest part not in the Prairie, Chiefly on the west side thereof & butt upon the Roches, where it is not to be suppos'd I wou'd have Settled had I not been told by Mr. Morgan: he at the same time gave me leave to build upon either one side of the Roches or the other which wou'd have taken in near Twenty Acres of Land, I still think Mr. Winston highly necessary to be Call'd upon relative to what I said yesterday, & do with Submission ask it as a favor of this hon<sup>ble</sup> Court, that I may be allow'd to Call upon such Evidences as may be necessary to Corroborate what ever I have Asserted.

"Mr. Morgan might Assert with some small degree of Truth, I will allow, that he wou'd give up his Share of the plantation for what it Cost him, meaning I Suppose agreeable to the Acc<sup>ts</sup>: Stated between him & me. But the Gentlemen of the Court will please to Consider that he has already made his money by furnishing & Stocking said Farm, & might think himself well off if he got good & immediate payment for his part thereof. At present however that is not so Easily Reconcl'd either, Because Mr. Elliott declar'd to me that Mr. Morgan had told him we had Clear'd 9000 Livres the first year. If so, the decrease of Expende and Increase of Stock & additional Improvements must Certainly Add greatly to the annual Product.

"To Convince you Gentlemen that tho I was immediately dissatisfied with the Settlement of Mr. Elliott, and that I am not so difficult to please, I told Mr. Morgan at the Commencement of this Affair that I wou'd much rather quit the plantation & Settle Another piece of Ground than remain there: upon which he ask'd me what I wou'd do with my Cattle & Stock; I told him I wou'd leave 'em with Mr. Elliott, and wou'd Accept of what he thought proper to allow me for my Industry. The answer he made was, that would not do, & desir'd me to walk to Mr. Elliott's & desire him to leave that place.

"These Assertions of mine Gentlemen I think of weight to me & it is the place of Mr. Morgan to disprove them or they must hold Good.

"Among other things I have to mention, from among the Cattle which came from Post St. Vincent, he took four or five of the Cows & kept them all Summer, after which he return'd them to me in a very poor Condition, & he frequently sends for Cattle for his own use, & orders in favor of other people at what price he thinks proper, & purchases in the same manner without ever Consulting with me at all upon the Subject.

"He has at present a Negro belonging to the plantation at his own house at Kaskaskias which he detains; but what is most Notorious that he is now in possession of an Ox Charg'd to the plantation last year among the 26 head of Cattle which I receiv'd from Post St. Vincent which as yet he has made no mention of to me. Now if this is true what wou'd such a Clandestine detention amount to in any other man, & a poor one too.

"I Came to the Knowledge of this matter by means of Mr. Elliott who Inform'd me, upon asking, if such an ox as that was amongst the number come from the Post, told me that by the discription it was the same, & that Mr. Morgan offer'd him all the Cattle but that & one more which he intended to kill, at the same Time he told Mr. Elliott that if he attempted to take that Ox to the Plantation he wou'd run away from him; upon this Mr. Elliott ask'd him if the Ox had ever been there before, in answer to which Mr. Morgan replied that he had not, for that in Attempting to drive him there he ran away; besides this, Gentlemen, I have seen the Ox myself, & am Certain of its being the same.

"Mr. Morgan, Gentleman, has too or three times mention'd y<sup>t</sup> he knew I was advis'd, by which he wou'd Seem to intimate that I was insensible of my own Injury, & that

some officious meddling & Malignant person had urg'd me to these Steps. Wherefore in Common Justice to the Suspected I do hereby declare, that I was from my feelings as a man & a consciousness of the ill treatment I met with resolv'd & did Communicate my Sentiments to Mr. Morgan unadvis'd in any respect whatsoever; Nay the Personal abuse alluded to in my Petition was given me before I Communicated any Particular Circumstances relative thereto, & till then did not think matters wou'd have become so Serious.

"I shall in the Course of the proceedings answer any further questions the Court may think proper to ask me & Explain whatever may not appear Clear or Satisfactory.

(Sign'd) RICHARD BACON."\*

"Mr. Bacon also presented to the Court a Copy of the Articles he, (Mr. Bacon,) had made objections to, and which was furnish'd him by the Court the preceding day by particular desire of Mr. Morgan, without having made any Alteration whatever therein, but Submitted the Charges to the Determination of the Court. The Court, after weighing, & maturely Considering every Charge, after allowing Mr. Bacon every Indulgence Possible Deducted the Sum of Two Hundred & Seventy Livres which Sum Mr. Morgan readily agreed to give Mr. Bacon Credit for, & gave him Credit for said Sum accordingly in his Books, before the Court. Mr. Morgan addressing himself to the Court, said he was much concern'd, that Mr. Bacon had not pointed out those Charges before, as he wou'd willingly have made Deductions wherever Mr. Bacon thought himself Aggriev'd, or overcharg'd, and observ'd that most of the Charges which Mr. Bacon objected to were made in his Absence, which Observation Appeared manifestly authentick by Mr. Morgan's Books.

\* Endorsed: "The Copy of Representation of matters deliver'd to the Court by Mr. Bacon the 25th Sept: 1770. No. 2."

"Mr. Bacon desir'd that Mr. Croghan shou'd be Examin'd, with respect to the Overcharge of Two Horses, Two Oxen, & one cart & Geers, which Mr. Morgan had Charg'd him (Mr. Bacon) Eighteen Hundred Livres for.

"Mr. Croghan, being ask'd by Mr. Bacon whether La Source did not offer him a pair of Horses & a Cart & Gears for one Thousand Livres—Answered—'La Source did offer me a pair of Horses and a Cart & Geers for one Thousand Livres, and at the same Time hinted that he wou'd be glad to get a Negro for said Horses &c, & pay the difference.'

"Another Article that Mr. Bacon objected to, was a Charge of Three Thousand & Eighty Livres, Charg'd by Mr. Morgan for Twenty Six Head of Cattle, Brought, & Deliver'd him at the Plantation from Post St. Vincent.

"The Court desir'd Mr. Winston (Looking upon him as a Judge of those Matters) to give his opinion regarding the prices Mr. Morgan had Char'd Mr. Bacon for said Cattle. Mr. Winston, after Examining the particular prices Charged by Mr. Morgan for the Twenty Six head of Cattle Complain'd of by Mr. Bacon said, that, he thought at the Time they were bought by Mr. Morgan, the Charges were very moderate, Viz. at one hundred & Twenty Livres pr. head for Cows, & One hundred & Fifty Livres for Bullocks, three years Old and upwards; which was [what] Mr. Morgan had Charg'd Mr. Bacon, as appear'd by Mr. Morgan's Books. Mr. Winston observ'd to the Court, that he Spoke from Experience, having often bought Cattle at Post St. Vincent, & knew the Risque and trouble of getting them drove to the Illinois:—and adds,—'I have myself paid One hundred & fifty Livres pr. head in Specie, at Post St. Vincent for a drove of Twenty two Oxen, many of 'em not above Three years old, and two only that was full grown Bullocks,' and Notwithstanding the Expence of driving them from thence to the Illinois, they afforded him A Reasonable profit.



"Question proposed by Mr. Bacon to Mr. Morgan:—'You 'll be so kind Mr. Winston to relate to the Court what pass'd between Mr. Morgan & me at the plantation, in the latter end of May 1769, when talking about the improvements of said Plantation?'

"Mr. Winston.—'All that I remember is, that Mr. Bacon was proposing to Mr. Morgan, of breaking up, or Plowing a Piece of land, to the Eastward of the Land already occupied—Mr. Morgan Reply'd, that he thought it was too late in the Season—that he had no objection to the proposal, & recommended him to proceed.' Mr. Winston adds, that Mr. Bacon at the same time was talking to Mr. Morgan about fixing a Trough at the Spring where Mr. Elliott is now Settled, in order that he may have a Constant Supply of water for his Cattle, to which Mr. Morgan gave his Assent, & observ'd, that it wou'd keep his Cattle from Rambling into the woods for want of water—Mr. Winston also observes, that he understood Mr. Bacon had leave, to occupy any Land Contiguous to the Plantation, either upon the Hill, or in the Meadow.

"Mr. Bacon objected against a Charge of Thirty Seven Livres, Ten Sols which Mr. Morgan had Charg'd him for Five Sickles.

"Upon referring to the Books of Mr. Morgan the Court found the Charge was made in his Absence by Mr. Tanley—Tanley being sent for, Said, he never Charg'd Mr. Bacon otherwise, than at the Common Rates & Customs of the Country—the Court was then Clear'd.

"And after having well Consider'd this matter, Unanimously Agreed to allow the Charge of, Thirty seven Livres, Ten Sols for the five Sickles as it appear'd in Mr. Morgan's Books. The Court Admitted all Parties.

"Mr. Bacon, then Objected to a Charge made by Mr. Morgan, of One Hundred & Sixty Livres for Two Hogs, Bought from One, Goho, & Sent to Mr. Bacon's Plantation.

Mr. Bacon Observing that he is Positive he never Receiv'd said Two Hoggs nor does he know anything of them.

"Mr. Morgan beg'd Leave to refer to his Books, & Mr. Brown being Call'd upon who Keeps Mr. Morgan's Books, (& in whose hand writing this Charge was made) Says, that he Cou'd Almost Swear to the Varacity & Correctness of Mr. Morgan's Books, & also says that he is well Convinc'd Mr. Bacon wou'd not have been Charg'd with the Two Hoggs in question, had he not receiv'd them. As the Entries in the different Books was Extreemly Clear, & without any kind of Erasement the Court Admitted the Charge without Deduction. Mr. Bacon, by a Paper Deliver'd to the Court this morning (which is herewith Annex'd) Complains of Mr. Morgan Detaining at Kaskaskia a Negroe man that belong'd to the Plantation. Mr. Morgan, Addressing himself to the Court Says that the Negroe man alluded to by Mr. Bacon, had run away from him (Mr. Bacon) several times & Said it was owing to the Barbarous treatment he had at Different times Receiv'd from Mr. Bacon, & had Declar'd to him (Mr. Morgan) that he wou'd never live with Mr. Bacon. Mr. Morgan proceeds, & Says, that in the month of June 1769, said Negroe ran away, and Stayd Some days—Upon being found, and an attempt being made to Secure him, He Stabbed himself in Two places, and Declar'd Again that he wou'd Sooner kill himself than go back to Bacon. But he wou'd live with any other Person, & Shou'd be glad to be Sold to any of the French people. He However was Seiz'd upon, bound & Brought to Fort Chartres, where Doctor Thomason, attended him, and made A Cure of his wounds. He was then prevailed upon to go back to live with Mr. Bacon & Continued with him till near Christmas when he again ran away from the Plantation, & was found in the Month of June or July last, by the Kaskaskia Indians, who was out upon a Praire a Hunting about one hundred Miles from

the Village of Kaskaskia. Said Negroe was then almost Dead; had no arms with him of any kind, but a knife & that a bad one. Upon his being brought to me by the Aforesaid Indians, he appear'd to have a Complaint in his throat which threatened his life. The Indians told me they Imagin'd it must have proceeded from his Eating a number of Rattle Snakes, the Small bones of which having Stuck in his throat, & being altogether Expos'd to the Inclemency of the Weather, I was therefore under the necessity of taking particular Care of him, with regard to Diet as well as Cloathing by which means I have almost restor'd to his wonted health. But notwithstanding this he Still Declares, that he'll Destroy himself shou'd he be sent back to the Plantation.—And Also Says—that the Indians that brought said Negroe to me, Demanded of me Four hundred Dollars. But since that time they have consented to take one hundred & Fifty Dollars, which Sum they now have of mine in their hands & do retain it on that acct. I therefore intend that said Negroe shall be sold at Publick Vendue for the benefit of the Plantation—this Mr. Bacon Agreed to. The Court adjourns till to morrow morning Nine of the Clock when all Parties with their Evidences will Attend."

"Wednesday September 26<sup>th</sup> 1770. The Court Pursuant to adjournment met this morning at Nine of the Clock, but cou'd not proceed to business, as Mr. Morgan & Evidences did not appear, therefore Adjourn'd till to morrow morning at Nine of the Clock, being Thursday the 27<sup>th</sup> of September."

"Thursday September the 27<sup>th</sup> 1770. The Court met this morning at nine of the Clock pursuant to adjournmt. Mr. Bacon deliverd a written paper to the Court which is herewith annex'd & which the Judge Advocate Read Publickly in Court, all Parties being Present. [as follows:]

**"Representations" by Mr. Bacon.**

"Gentlemen—With all deference and respect I must once more Entreat your forgiveness in observing that the pointing out the Bounds of Mr. Morgan's purchase of Seven Acres can have nothing to do with the nature of my Complaint. In the first place, there is no bounds mention'd in the Articles, and Mr. Morgan never pointed out this place to me before; had he told me to have Cultivated that Spot at first I shou'd Certainly have done it & not have thrown away my time & labour upon a place which at that Time at least did not belong to him, Notwithstanding this I again declare that he told me to built & Improve where I have.

"With respect to the General Charges of the Slave either of Fort Chartres or Kaskaskias I dont urge that as a matter of Consequence, tho Mr. Morgan is a great gainer thereby, I allude to Some Particular & Extraordinary ones, purchases made by that Gentleman.

"Mr. Tanley no doubt Charg'd me as he did other people & had a view naturally to the Interest of his Employers, he himself cou'd reap no benefit thereby, In Short may it please this Honourable Court I have said & deliver'd in writing all that I have at present to Say upon the Subject, which you will no doubt take into your Consideration & Submit the Same to your Impartial Judgment. Concluding with this declaration that I shall Come To no Compromise with Mr. Morgan, who tho he pretends to Say he will yet make things Satisfactory, has as I have observ'd before put me off from time to time & abus'd me for Demands So Just and reasonable.

"With respect to the Indians owing Mr. Morgan Money I see no Reason why my property Shou'd Suffer in Securing it.

"One Frederick Dunfield a Butcher came from Mr. Morgan's to the plantation to kill some Oxen for me, &

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told me that he had kill'd some Cattle for Mr. Morgan. I ask'd him where he got them, he told me from Beauvais, I ask'd him what Sort of Cattle they were, he told me that one was a very large Ox that had a piece of wood on his horns, & that the others was a Black Cow, & a black and white Cow,—About four or five months after I went Down to Settle with Mr. Morgan & in the Credit of his accot. I did not See the Above Cattle Enter'd, & then Immediately told him that he had not given me Credit for all the Cattle he had kil'd; he ask'd me what Cattle they were; I told him some of them he bought of Beauvais, he told me he had never kil'd one of them, I desird him to let Mr. Brown go with me to Mr. Beauvais & perhaps they might know Something about them, which he did & they told him Mr. Morgan had kill'd the Ox with the wood on his horn, & as to the Cow or any more they knew nothing About; We went back to Mr. Morgan & told him what they had told us, upon that Mr. Morgan gave Credit for the Ox, & the Cow was Set down Stray'd.

"I am Gentlemen with many unfeign'd thanks for the trouble you have had in this Affair, with the utmost respect. Your most Oblig'd & most Obedt. humble Servant.

Sign'd RICH<sup>D</sup>. BACON."\*

"In a Paper Deliver'd to the Court by Mr. Bacon the 25<sup>th</sup> Septem<sup>r</sup>. He there Complains of An Ox, which Mr. Morgan had Detain'd from him in the following words—'but what is most notorious is that he is now in Possession of An Ox Charg'd to the plantation last Year Among the Twenty Six head of Cattle which I receiv'd from Post St. Vincent, which as yet he has made no mention of to me, now if this is true, what woud Such a Clandestine Detention, Amount to in Any Other Man—and a Poor one too.'

\* "The Copy of Representation of Matters Deliver'd to the Court the 27<sup>th</sup> September 1770. (Sign'd) Richard Bacon, No. 3."

"Question propos'd by the Court to Mr. Bacon:—'Did You Mr. Bacon point out the Ox Complain'd of? or Did you ever Demand him of Mr. Morgan?'

"Mr. Bacon.—'No,—I never did.'

"Court.—'Did you Mr. Bacon ever hear that Mr. Morgan used means or endeavour'd to use Means to Conceal this Ox from you?'

"Mr. Bacon.—'By no other way, than by what Mr. Elliott told me.'

"Court.—'Mr. Elliott please relate to the Court, what you know, Concerning the Ox Alluded to by Mr. Bacon, & which is now in Possession of Mr. Morgan?'

"Mr. Elliott.—'I went down by Mr. Morgan's request to Kaskaskia to Look at some Cattle which Mr. Morgan propos'd Selling to me. Among the Cattle there was one which Mr. [Morgan] Excepted, as he said he Imagin'd he wou'd run away, as he had already made his Escape twice from [those] he had Appointed to drive him. Some little Time after I came home to my plantation, Mr. Bacon came there & Describ'd a Number of Cattle which he had lost, and amongst them One, very much like the Ox above excepted by Mr. Morgan, I told Mr. Bacon, that it was very probable, that this might be the Ox, Especially as Mr. Morgan excepted Selling of him. I also hear'd, but not from Mr. Morgan, that Mr. Morgan intended to kill Said Ox.'

"Court to Mr. Bacon.—'Did you Mr. Bacon, in Consequence of the Information given you by Mr. Elliott, go down to Kaskaskia to Inquire After this Ox of Mr. Morgan?'

"Mr. Bacon.—'I went down to see if it was the Same Ox but did not Inquire after him.'

"Court.—'Where was the Ox when you saw him?'

"Mr. Bacon.—'He was in the Yard with the rest of the Cattle.'

"Court.—'Where do you apprehend, Mr. Bacon, the Ox was when you first went to look after him?'

"Mr. Bacon.—'I don't know.'

"Court.—'What time of the day was it, when you first went to look After the Ox?'

"Mr. Bacon.—'It was about an hour and a half or two hours before Sun Set.'

"Court.—'When you knew the Ox to be yours, Mr. Bacon, why did you not demand him of Mr. Morgan?'

"Mr. Bacon.—'The Reason I did not demand him, was, that I had found Colonel Wilkins had ordered a Court of Inquiry to Sit to Settle matters between Mr. Morgan & me;'

"Mr. Morgan Address'd himself to the Court & Said, that when Ensign Hutchins & Ens. Richardson was at my house, at Kaskaskia, whither or not they think I took pains to Conceal that Ox; on the Contrary, if he was not always with the rest of the Cattle; and as he was a very Fat Ox, if all of us were not making remarks upon him?

"Ensign Hutchins, & Ens: Richardson, said—that they saw that Ox in Common with the others & that they were making Remarks with Mr. Morgan on his Fatness:—and Ens: Hutchins adds that he understood him to be a Run away, he (Ens: Hutchins) advis'd Mr. Morgan to kill him, as he was in such high Condition. On which Mr. Morgan said he wou'd. Ens. Richardson observ'd that Mr. Morgan told him, he had made a Calculation, to find, if he cou'd be dispos'd of at Kaskaskia & Sent his Brother in Law Mr. Boynton to sound the Inclination of the French People—but as they were not dispos'd to Buy, was under the necessity of letting him Run."

Mr. Morgan observ'd to the Court, that on Mr. Bacon Delivering the Annex'd paper to the Court, wherein he Complains heavily of him (Mr. Morgan) Detaining the Ox in Question, he went down to Kaskaskia to Inquire into the Truth of it, he being entirely Ignorant of the matter, it being the first time that ever Mr. Bacon mention'd the



matter to him. Upon Inquiring of a French Man who brought him from Post St. Vincent, He found that the Ox had been deliver'd to Mr. Bacon at the Plantation; Mr. Morgan proceeds & Says—'I therefore intend to Sell him for the most I can get, or take him on my own Account & give the Plantation Credit for the Value.'

"Mr. Bacon to Mr. Brown.—'Did Mr. Brown never tell Mr. Morgan, that I had lost Cattle, & that they were Stray'd to Post St. Vincent?'

"Mr. Brown.—'I told Mr. Morgan, that Mr. Bacon had lost Seven or Eight Cattle, out of the Twenty Six head of Cattle he had receiv'd from Post St. Vincent & Several Others.'

"Mr. Bacon.—'Whether you Mr. Brown did not tell me, that this very Ox in Question had Stray'd to Post St. Vincent?'

"Mr. Brown.—'I do not remember [that] I did. I did not particularize any Ox.'

"Mr. Bacon.—'What is the reason, Mr. Morgan, on your Receiving the last drove of Cattle from Post St. Vincent you did not acquaint me of it particularly, when you knew you had receiv'd all the Cattle but four that were Missing?'

"Mr. Morgan.—'I Knew that you Mr. Bacon cou'd be no Stranger to their Arrival, as it was Notorious, thro the Country, Also I had Seen Mr. Bacon Viewing of the Cattle on Saturday the 22d Instant, which was the first time I had Seen Mr. Bacon after their Arrival.'

"Mr. Bacon to Mr. Elliott.—'Did I not tell you Mr. Elliott, that I had lost Several Cattle, & that I heard one of them had Stray'd to Post St. Vincent?'

"Mr. Elliott.—'Yes, you did tell me so.'

"Mr. Bacon to Anto. Renaue.—'How many head of Cattle was it, that Mr. Morgan Order'd you to bring from Post St. Vincent, the last time you went there?'

"Anto: Renaue.—'I had orders from Mr. Morgan, to

bring all the Cattle I cou'd find of His. I found Ten which I brought & heard that four had died.'

"Bacon.—'Did you understand that Fourteen Cattle was all that Mr. Morgan had at Post St. Vincent?'

"Anto: Renaue.—'I understood from the people that deliver'd them to me that Mr. Morgan had no more than fourteen head of Cattle at Post St. Vincent. One of the Ten above mention'd was Drown'd in Crossing the Kaskaskia River.'

"Mr. Bacon to Mr. Morgan.—'Did you Mr. Morgan never hear, or receive any Account of the Two Cows Charg'd to the plantation, which you bought from Madam Nichola?'

"Mr. Morgan.—'I Dont Recollect I ever did, but it shall be Enquir'd into & Justice done.'

"Mr. Bacon to Antoine LaSource.—'What Value do you put on the two Oxen, Two Horses, & one Cart & Gears; at the time that Mr. Morgan made the Exchange with you for a Negroe?'

"Monsr. LaSource.—'I fix'd no particular Value on the Two Oxen, Two Horses, & Cart & Gears. But Excang'd them with Mr. Morgan for a Negroe, which negroe I had my Choice of from four or five, or more.'

"Mr. Bacon.—'Did you Monsr. LaSource look upon the Negroe you Receiv'd from Mr. Morgan, to be a Sound Negroe, & in health, & worth Eighteen hundred Livres?'

"Monsr. LaSource.—'I had him Examin'd by Monsr. Bluen. I look'd upon him as a Sound good Negroe, and well worth Eighteen hundred Livres, as Negroes Commonly Sold at that time for Two Thousand Livres.'

"Mr. Morgan to La Source.—'Please relate to the Court Monsr. La Source, how this Negroe turn'd out, and how you are now pleas'd with him?'

"Monsr. La Source.—'I never wou'd desire a better Negroe than he has turn'd out to be, and am now Ex-

treably well pleas'd with the bargain I made with Mr. Morgan.'

"Mr. Bacon to Monsr. La Source.—'What Age was the Cattle, and what did you value them at, that Mr. Morgan got from you for the Negroe?'

"Monsr. La Source.—'I Cannot put A Value upon them at this Time as I put no value upon them at the Time I agreed with Mr. Morgan. I Exchang'd them for a Negroe with Mr. Morgan which he likewise set no Value Upon. The Cattle was between three & four years old.'

"Mr. Bacon to Mons. La Source.—'Did you not Monsr. La Source pay Mr. Morgan some difference regarding the Exchange you made with him for the Negroe?'

"Monsr. La Source.—'No. Nothing at all. But on the Contrary Mr. Morgan gave me One Hundred & Fifteen Livres & a Side of Tanned Leather Value Thirty Livres.'

"This appears to be a very just & Impartial Account of the matter, as appears by Mr. Morgan's Books, also by a Bill of Sale & Receipt which is as follows:

"**I Certify** that I have Bought & Receiv'd of Monsr. Antoine La Source Two Oxen, Two Horses with a Cart & Gears, for which I have paid and deliverd to him one Male Negroe & one hundred & Fifteen Livres on account. 30th April 1768.

GEO. MORGAN.'

"By a Paper deliver'd to the Court this morning which is herewith Annex'd, & which was Publickly Read by the Judge Advocate, All Parties being present; Mr. Bacon there Says—'Mr. Morgan, who, tho he pretends to say, he will yet make things Satisfactory, has as I have observ'd before, put me off from time to time and Abus'd me for Demands so Just and Reasonable.' Three letters being produc'd in Court by Mr. Bacon, Wrote to him by Mr. Morgan. Said Letters by the request of Mr. Bacon were Publickly read in Court by the Judge Advocate. It appear'd to the Court that they abounded with the most

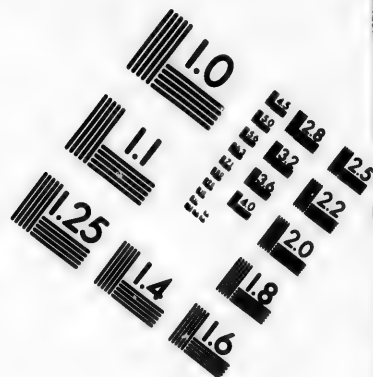
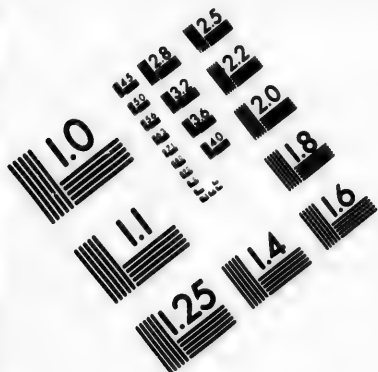
wholesome & Good advice to Mr. Bacon; and Clearly indicated that Mr. Morgan wish'd to Settle the Plantation Accots. with him as soon as Possible.

"Mr. Morgan inform'd the Court that Mr. Elliott was present when he Impress'd a Settlement of Accounts with Mr. Bacon, & desir'd that Mr. Elliott wou'd relate to the Court what he heard pass between them—Mr. Morgan & Mr. Bacon.

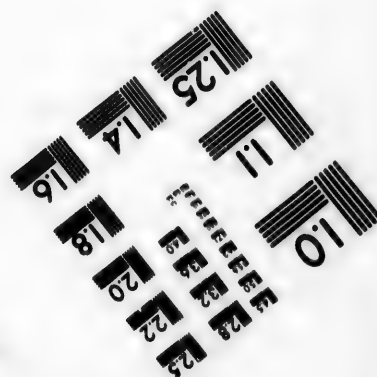
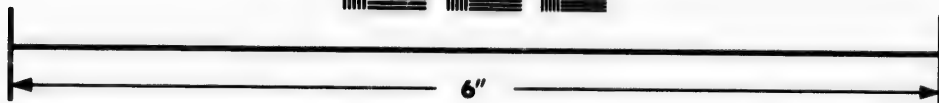
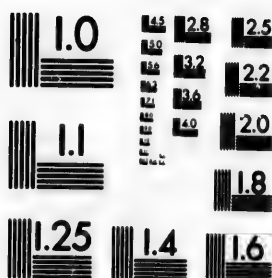
"Mr. Elliott Says, that he was at Mr. Bacon's one Evening with Mr. Morgan, about three weeks or a month after he arriv'd in this Country. He heard Mr. Morgan and Mr. Bacon talking about the Cattle they had lost, & that Mr. Morgan Said to Mr. Bacon, that he shou'd not be Easy, before he knew how the Accounts of the Plantation stood. Mr. Elliott adds, that he told Mr. Bacon, that he heard Mr. Morgan Say, that if any of the Articles in the Accounts between Mr. Bacon & him were overcharg'd, he shoud be very happy to rectify them, and make every allowance to Mr. Bacon that was reasonable. The Court adjourns on Acct. of Ens. Conolly being taken Sick, till nine oclock to morrow morning."

"Friday the 20th September 1770. The Court met agreeable to adjournment & on account of some of the Members being Sick, The Court is adjourn'd till Monday next the 1st of October, when they will meet at nine of the Clock."

"Monday the 1st of October 1770. The Court met this day pursuant to adjournment at 9 of the Clock. Mr. Bacon Observ'd to the Court that in Consequence of a Letter he had receiv'd from Mr. Morgan, desiring him (Mr. Bacon) to send Mr. Morgan, an Exact State of the Stock, utensils of Husbandry &c; on the plantation:—That he (Mr. Bacon) on Receiving said Letter did send an Inventory of every thing on the plantation about Six Weeks ago; and that he went sometime afterwards on



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purpose to obtain a Settlement with Mr. Morgan, but could not accomplish it.

"Mr. Morgan says in answer to what Mr. Bacon hath above asserted, That Mr. Bacon did come down to Kaskaskia, but he never Asked or Demanded A Settlement with him.

"Mr. Bacon to Mr. Elliott.—'Did not you understand that when you and I went down to Kaskaskia, about three weeks or a month ago, that I went on purpose to Settle Accots. with Mr. Morgan?'

"Mr. Elliott.—'I heard you Say so. But at the Same time I understood from Mr. Morgan, that you ask'd nor demanded no Settlement with him.'

"Mr. Morgan.—'Did you Mr. Elliott hear Mr. Bacon request to Settle Accots. with me?'

"Mr. Elliott.—'I did not.'

"Mr. Morgan.—'Did I not Mr. Bacon on or about the 12th of September last ask you whether or not you had brought your Books or accounts in order to have a Settlement?'

"Mr. Bacon.—'You did, the day after I lodged my Complaint with Colo. Wilkins, I at the same time told you that I did not think it worth my while to bring the accounts down, having used me so ill Some time before.'

"Mr. Bacon to Mr. Elliott.—'Do you not think it is of great prejudice to me, that you are Settled so near me?'

"Mr. Elliott.—'I Dont think that I can be of the least prejudice to you unless the land I am Settled upon belongs to your Plantation.—if this is the Case I must be of great prejudice to you.'

"Bacon to Elliott.—'Did you not hear Mr. Morgan ask me where his land terminated towards the East, in the Grand Prairie?'

"Mr. Elliott.—'I heard Mr. Morgan ask Mr. Bacon where the bounds of the land was, but whither Mr. Morgan said



our Lands, or his Lands, I cannot Recollect. Mr. Bacon pointed to a bunch of Trees, which stands in the Grand Prairie, and said that was the place which you (meaning Mr. Morgan) told me was the Boundaries on that quarter sometime before.'

"Mr. Morgan Observes to the Court that the Bunch of Trees which Mr. Bacon alludes to, is the Eastern Boundary of his Second Purchase.

"Mr. Morgan produc'd to the Court a Recorded Deed Dated the 10th of March 1760, for the plantation on which he Settled Mr. Bacon; by which it appears that said plantation contains no more than Seven Square Acres in Front.

"Mr. Bacon being ask'd by the Court, whether he had any more questions to propose, or any more Evidences to Examine—Answd: he had not.

"Mr. Morgan to Mr. Elliott.—'Did I not express my Surprise at Mr. Bacon, for Building his Barn where he has, during my Absence, the first time you & I went to the Plantation, after our Arrival in the Illinois?'

"Mr. Elliott.—'You did, and also said, that Mr. Bacon must put a Value upon the Improvements, as that was the Land you intended to Settle me upon.'

"Mr. Morgan Desires that the Court will allow Mr. Elliott to relate, what Mr. Bacon told him relative to what a Certain Gentleman told Mr. Bacon about Mr. Morgan bringing him (Mr. Elliott) to this Country on purpose to Enslave him, as well as he had already done Mr. Bacon; & if said, Certain Gentleman had not declar'd, that neither he [Mr. Bacon] nor Mr. Elliott wou'd ever get a Six pence for their Labour; and also what Proposals you receiv'd from said Certain Gentleman, by Mr. Bacon.

"Mr. Elliott.—'Sometime after I came to this Country, I happen'd to Call upon Mr. Bacon. Walking with him in the Garden Mr. Bacon told me that Mr. Rumsey had been

with him sometime before, & told him that he wou'd not make so much of the Plantation as he might Imagine—that when his accounts came to be Settled, that he wou'd have but a very Small Balance to receive &c; Mr. Bacon told me that Mr. Rumsey had Enquir'd of him on what Terms I was Settled on the Lands I now Occupy. Mr. Bacon told him he did not know, Mr. Rumsey answd. that Mr. Morgan's Intention was only to get Some Work out of me, and that was all I need to Expect. Mr. Bacon at the same time Seem'd to think, that what Mr. Rumsey might have said, might be merely out of Pique or resentment to Mr. Morgan, as he was Informd they had, had some Difference sometime before.'

• “Mr. Bacon & I had a good deal of discourse concerning this matter, & mutually agreed not to pay attention to Such reports, till we had some more substantial proofs of Mr. Morgan's Designs against us: Mr. Elliott also Says that about two weeks ago Mr. Bacon Came to him, with a Verbal message from Colonel Wilkins—telling him that Colo. Wilkins desir'd I woud leave the Plantation Immediately, Mr. Morgan having no right to Settle me thereon. I had not an Oportunity of waiting immediately on Colonel Wilkins. Mr. Bacon Came to me too days after, & told me that he had come with a Second Verbal message from Colo. Wilkins & that the Colonel desir'd him to tell me, that he had done me the honour to warn me A Second time, to leave the Plantation; and that if I did not remove Instantly, he (the Colonel) wou'd send a party of Soldiers & take what property I had from me. Mr. Bacon likewise told me, that he had Seen an Order in writing from Colonel Wilkins in the Possession of Mr. Rumsey to turn me off said Plantation. Mr. Bacon also told me a few days before that he had seen a permission in writing that Colo. Wilkins had given to Mr. Rumsey, Sign'd by the Colo's own hand, giving him full possession of the Lands I am

now Settled upon—And that this permission extended to A Run about half a mile East from where I am Settled, to another Run, on the west of where Mr. Bacon lives, on the Land towards the Back of the Roches. I asked Mr. Bacon if he was Certain of this. He answerd me—that he was Very Certain, for he had the permission in his hand [writing] & that he read it.'

"Mr. Bacon likewise acquainted me that Mr. Rumsey had asked of him, if ever he had told me, that he (Mr. Rumsey) was in possession of Such an Order or Permission. Mr. Bacon told Mr. Rumsey that he had not Spoke to me About it. Mr. Rumsey then told Mr. Bacon that he might tell me, that he (Mr. Rumsey) had such an Order, or Permission in his possession. Mr. Rumsey at the same time it seems Express'd his Concern for my being put to So much Inconvenience & Distress, & said that he wou'd do me the favour to Apply to Colonel Wilkins for any Tract of Land that was not already possessed; and that as I had Come into the Country, on purpose to Settle, that he wou'd furnish me with money, or any Necessarys that I requir'd till Such Time as I cou'd Conveniently pay him.'

"Mr. Morgan to Mr. Elliott.—'Was this proposal made by Mr. Rumsey, thro the Channel of Mr. Bacon, Since Mr. Bacon Lodged the Camplaint Against me with Colonel Wilkins?'

"Mr. Elliott.—'Yes—I understood that Mr. Bacon had Lodged a Complaint against you with Colonel Wilkins.'

"Mr. Bacon, Observ'd to the Court, that after he had deliver'd the Colonel's Letter to Mr. Morgan at Kaskaskia, In Returning from hence he met Mr. Elliott, after having some Conversation together Concerning Colo. Wilkins's turning him off the Plantation &c; He told Mr. Elliott, that Mr. Rumsey had a Plantation, and that he des'rd to say that Mr. Rumsey would Settle him upon it; or if he wou'd apply to Colonel Wilkins he made no doubt that

Colo. Wilkins wou'd. Mr. Bacon denies that he ever told Mr. Elliott that he Saw an Order from Colonel Wilkins giving Mr. Rumsey Possession of said Land; But that Mr. Rumsey told him he had an order from Colo. Wilkins to take Possession of the Lands Mr. Elliott is now Settled upon.

"Mr. Morgan Observes to the Court, that as Mr. Bacon, has given it under his hand, that he will come to no Compromise with him, and has also verbally declar'd, that if he did not obtain the Satisfaction he wish'd for, from this Court, he wou'd make the most he cou'd by the Plantation, & leave every thing in such a Huggermugger way, that He (Mr. Morgan) wou'd never be able to make anything by it. He therefore humbly presumes to hope, that this Court will Oblige Mr. Bacon to find some kind of Security for the true Performance of his Agreement with him, as pr. Annex'd Articles of Agreement.

"Mr. Bacon Denies saying that he wou'd leave the plantation in the bad way represented above, or in any other way.

"Mr. Morgan Desires that Ens: Hutchins will relate to the Court, what he heard Mr. Bacon Say, when he (Mr. Morgan) propos'd to him, to Appoint Two Gentlemen to Settle their Affairs, and that he, (Mr. Morgan) wou'd go to any place Mr. Bacon wou'd Appoint, and take his Books along with him.

"Mr. Hutchins Informs the Court that he heard Mr. Bacon Say that he wou'd leave it to no other Person but Colonel Wilkins. Mr. Morgan said it was very well, & that he wou'd Refer to the Articles of Agreement which was very Clear. Upon which Mr. Bacon reply'd—'Is that the way you intend to Come Over me?' Upon which Mr. Morgan, said, that he Imagin'd, the Phrase had its Derivation from New England being both uncommon & ungentle.

"Mr. Morgan Observes to the Court, that as Mr. Bacon has denied Some things which he has related to the Court particularly with respect to his leaving the plantation, hop'd the Court wou'd allow Mr. Elliott to point out where he has Erred.

"Mr. Elliott declares that as him and Mr. Bacon were riding together, that Mr. Bacon did then Say, that he wou'd make what he Cou'd by the plantation & leave every thing in a Huggermugger Way. Mr. Morgan being on his Defence, says that he went to the Plantation with Mr. Windsor Brown and Mr. Patrick Kennedy (they both speaking French) to get the French People, from whom he purchas'd the Lands, to point out the Boundaries of said Lands. Monsr. Louviere from whose father I purchas'd the Tract of Land on which M. Bacon is now Settled, and for which Land I have produc'd Monsr. Louveire's Deed Dated the 10th March 1768 pointed the Boundaries out to us. It begins at the point of A Roche, where hath been a Lime Kiln—a few Perches from the west side of a Run of water, that you Cross in Entering the Grand Prairie going From Fort Chartres to Kaskaskia. Mons. Louveire Pointed, and said, it was from thence towards the East Roche Six or Seven Acres in Front, and that the same Extended from those Roches Southward to the Mississippi. He then went to Shew us how far the Seven Acres did Extend, and took us to a lane or Passage, which Mr. Bacon had left between Two Corn Fields, & said that there, or thereabout, was the Boundary which his Father had Shewn to him. Monsr. Boutelet also went with us, and informed us that the land which he sold to me, (agreeable to the Deed which I have already Shown to the Court, Dated the 15th March 1769,) began where Monsr. Louveire's Land Ended, at a run Eastward Six Acres in Front, & Shew'd us a white Elm Tree as his Eastern Boundary.

"Mr. Brown, being Call'd upon by the Court, perfectly

Corroborates with Mr. Morgan, in every thing he has asserted respecting the Boundaries of The Plantation.

"Mr. Morgan, proceeds and Says, that he then got Mr. James Elliott and Mr. Patrick Kennedy to measure the Distance from the first mention'd Lime Kiln to the lane pointed out by Monsr. Louveire, as the Boundaries of the Plantation purchas'd from his Father. Those Gentlemen Inform'd me, that the Distance was exactly Ninety Six Perches; and from thence to the white Elm Tree, pointed out by Monsr. Boutelet, as the Eastern Boundary of the Plantation Purchas'd from him was Fifty Eight Perches; within this last Boundary about Thirty two Perches East of the Lane Mr. Bacon has built his Barn.

"Mr. Elliott, as one of the People that measur'd the Land, Declar'd that every thing that Mr. Morgan had related to the Court with regard to the measurement was Strictly true. The Court adjourns till to morrow at 9 of the Clock when all Parties will Attend."

"Tuesday 2d October 1770. The Court met this morning at nine of the Clock in the morning Pursuant to Adjournment.

"Mr. Morgan, Produc'd to the Court the Accounts of the Plantation, Some of the Articles of which Mr. Bacon & him had mutually Agreed upon; others Mr. Bacon not being fully Satisfied about, Mr. Morgan thereupon Deliver'd the Accounts to Mr. Bacon, & gave him three months or what time he pleas'd to make his objections, & said that Notwithstanding it is left to the Court to Settle our matters, yet if any thing shou'd escape the Notice of the Court, it shou'd be hereafter rectify'd to Mr. Bacon's Satisfaction.

"Mr. Bacon Objected to the Articles of Rum, Sugar & Tea, being Charg'd to his Private Account, he thinking those Articles shou'd be Charg'd to his Publick or Plantation account.

"Mr. Morgan says he never promis'd Mr. Bacon any Allowance of Rum, neither does it appear by the Articles of Agreement that Mr. Bacon is entitled to any Allowance. But Mr. Morgan Says if Mr. Bacon has given any of the Rum expended at the Plantation for the use of Carrying on the plantation business, he with Cheerfulness will Allow it.

"The Court is of Opinion that Tea, Sugar, & Coffee, shall be Charg'd to Mr. Bacon's private account, and that such part of the Rum as appears to be Expended for the benefit of the Plantation, shall be Charg'd to that account.

"Mr. Morgan, after having Examined what Evidences he thought necessary, Deliver'd to the Court his Defence in writing which was Publickly Read by the Judge Advocate, & which is herewith Annex'd.

Sign'd ALEXR. FOWLER, Lieut:  
Acting Deputy Judge Advocate."

"In Consequence of an order from Colonel John Wilkins directing us to enquire into the affair of Mr. Richard Bacon, and George Morgan Esqr. the Court accordingly proceeded to Enquire into the many different Charges Exhibited by Mr. Bacon against Mr. Morgan; and after hearing every matter of Charge, Set forth by the Complainant, as well as Examining the Witnesses he Call'd upon to Support his Charges; and hearing what Mr. Morgan (the Defendant) had to offer in his Defense; and having well weigh'd and maturely Consider'd the Same, do think, & are unanimously of Opinion, that Mr. Bacon's Grievances seems to be altogether Ideal; that his Charges in General are of a Litigious & Captious Birth, and are by no means Supported; and that his Allegations, are altogether Scandalous, Groundless & malicious; and do therefore most honourably Acquit Mr. Morgan of all & every part thereof.



"And he is hereby most honourably Acquitted Accordingly.

<p>"[Sign'd] ALEX: FOWLER, Lt. 10th or Royal Irish Reg't: Acting Deputy Judge Advocate</p>	<p>{ LEWIS WYNNE, Lt. Presdt: ALEXR. FOWLER, Lt. THOS. HUTCHINS, Ensn: WM. RICHARDSON, Ensn: WM. CONOLLY, Ensn:"* }</p>	<p>{ Mem- bers.</p>
<p>Signd</p>		

The court, evidently from the beginning, ruled in favor of the defendant, Morgan, but the complainant, did not relinquish all hope of at least a partial redress of his grievances until on October 2, when the conclusion was reached and published which pronounced his complaint "altogether ideal." This was too much, and he forthwith filed his petition with the commandant for a rehearing. Whether it grew out of the present controversy or other disturbing causes, the former friendly relations existing between Colonel Wilkins and George Morgan were now undoubtedly strained. However this may have been, a new hearing was accorded Bacon and the court of enquiry was reconvened for a revision of its judgment—the colonel calling attention in their order to points in the evidence in the complainant's favor which had not received, in his judgment, their due weight or had been overlooked by the court. The comments by the colonel, and the answers thereto, make very refreshing reading:

#### Application for a New Hearing.

"To John Wilkins Esqr., Lieut. Colo. of His Majesty's 18th or Royal Regiment of Ireland Governour & Commandant of the Illinois & its Dependancies:

"The Remonstrance of Richd. Bacon Inhabitant, Humbly Sheweth, That Impressd with the deepest sense of Gratitude & respect, for your kind acquiescence in Granting

\* Endorsed:—"Minutes & Sentence of a Court of Enquiry on Geo: Morgan Esqr. & Richard Bacon, Commencing the 24th September 1770 & Ending 4th October following. Fort Chartres in the Country of the Illinois."

him an Examination into the Grievances pointed out in his Petition of Sept. 1770 against Mr. Morgan; he is Encourag'd to address you by the same means with respect to the proceedings of the Court Order'd & the Surprise with which he is Struck at the nature of the Sentence or Opinion. What I have said, pointed out, & which by the proceedings Deliver'd, Sir (a perusal of which you have at my request Granted), are not disprov'd, [and] must in my poor Opinion, render an unanimous acquital of all & every part of that Gentleman's Conduct, Surprising; abstracted from the other part, wherein notwithstanding I have absolutely deny'd myself to have been advis'd, the Letigious & Captious Birth of my Complaints, alluding to a third person, are Call'd malicious, Groundless, & Ideal. For which reason, as I am Conscious to myself, I Can yet prove many of my Assertions (tho not already done to the Satisfaction of my Judges). I Humbly beg leave to appeal to your Judgment: from the said Sentence or Opinion; & that this may not appear an unreasonable demand, I hope the following reasons will render such request no more than just & equitable, & what I am bound to do in order to Exculpate myself from the reflections Cast upon my Character, as well as to do Justice to a third person who has been Vilely tho indirectly traduced by Mr. Morgan during the whole Course of the Procedure. In the first place, why this Shooting in the Dark at a person entirely unconcern'd with the matters in question, Should be admitted I must own I am not Capable of resolving. However there is such a Stress thro the whole part thereof upon this adviser of mine that I Cannot help observing, It is very little to the purpose whether I had or had not an adviser, or on the other whether it was Mr. Rumsey or any other person, all I Contend for is this, that I am now, was & ever shall be Sensible of the Injuries I have Suffer'd & do for myself most religiously declare what must be evident from the

Nature of my Complaints, that they Cou'd proceed from no other Person but myself.

"The Second remark which I most humbly Submit to your better Judgment is that pursuant to the very Tenour, Style & Nature of my aforesaid Petition is, that instead of Sticking to the Charge therein represented, Mr. Morgan has Enter'd into matters entirely foreign to the purpose, & by a useless Display of a multiplicity of Books & papers has occasion'd a Letigious Enquiry into matters that by no means set aside the facts I have exhibited which was a Breach of our Articles of Agreement, and was not attended to (nor does the same appear but where they Lean'd to Mr. Morgan's favour, allso the personal abuse which Can be prov'd to this moment tho he avoids the latter only by an insidious Expression against a third person at my Expence) by Changing the mode of Expression against the Still Certain Gentleman whom he is ready to make oath of, never hiated to him any thing of the kind.

"The breach of Articles is I think Still Clear & demonstrative, therefore I most humbly Entreat you Sir to Examine the Same, & Judge whether or not by the Articles & the Charges (as yet unprov'd) which I deliver'd in, if I am not Injur'd by the Settlement of Mr. Elliott as well as the Encouragement given to him in Opposition to me,—who by the Tenour & meaning of the Same Cannot but be Injur'd by the Encroachment Support & Vicinity of Another.

"Is it not the business of the person Accus'd Sir to disprove the allegations Exhibited against him by Something more than mere Declaration (even frequently faulting) and is it not necessary that some Evidences at least shou'd entirely disprove particular Charges laid against him?

"The Article of the Ox & Cow bought of Monsr. Beauvais which he kil'd & did not Credit the plantation for at that time, and my remark allso for the Cows taken for his

own use will Certainly render all my Charges not merely Ideal—neither do I see any thing therein which can merit altogether the Opinion of a malicious & Groundless Charge.

“I had indeed many other things to relate but was so often reprov'd & told that every thing was going against me; that in absolute despair of doing myself Justice I forbore. In short I was prejudic'd disheartened & was resolv'd to give up all hopes when I waited upon you & acquaint'd your honour with the Terms in which I was address'd. Submission & Respect Govern'd me in all my Actions, But I found that to Exhibit Severe Charges (tho Facts) against so powerful an antagonist was Construed in another light.

“Fourthly, In allusion to the latter part, I must now beg leave to mention the Affair of the Ox—said by me to be a notorious & present detention; with my remarks thereon which gave so much offence that I was told even by one of the Judges, was a matter if not prov'd that merited the Consequences of a Civil Law Suite, upon which I made my bow, and do with the same Submission & respect Appeal to your Judgement whether or not that matter is Clearly disprov'd. Look I beseech you, Sir, to the Evidence in favor of Mr. Morgan, his Answer—How Vague & Inconclusive.

“The Evidence of Mr. Brown is particularly worthy your Impartial Observations in many respect, his positive declaration respecting the Entries more so; that Gentleman as I observ'd to you with Mr. McFee were openly in the most derisive manner exulting in every little piece of wit, which appear'd to them, so Extreemly Severe & pointed, & Exasperated me frequently in such a manner that I was much Confus'd upon the Occasion.

“I forgot to mention that La Source the Frenchman Call'd upon by Mr. Morgan as an Evidence respecting the

Negro given for the Cart Oxen & horses, after he left the Court told Mr. Kennedy that the Negro was Sick & among the remains of the Cargo, & Mr. Elliott himself, tho admitted as an Evidence notwithstanding a party Concern'd, declar'd to me before the same person that he could not but acknowledge he was a prejudice to me in his being Settled on that Land for many reasons which he gave at the same time, & Concluded by Saying that I Cou'd not blame him for it. This last Gentleman's Evidence Respecting a message he declar'd I deliver'd him from Mr. Rumsey is in every Part false, Infamous & Groundless, that Gentleman never having mention'd a thing of the kind, but what is that to the purpose, had it even been true it Cou'd have no kind of Effect with respect to my Complaint of Mr. Morgan; the papers I deliver'd to the Court plainly Shew that I want nothing but what is reasonable.

"Fifthly, with respect to the Local Situation of this Plantation or the other, what Can it avail? I have Cultivated the land Shewn to me, Mr. Morgan acknowledges I have been Industrious & have done my Duty untill Latterly & I lay no Claim to any land whatsoever. By my Articles of Agreement I Cede all right & Title thereto in Consideration of promis'd matters not Complied with. I ask no more than to be quit with him, & rely'd on the Judgment of the Court for what they shou'd Esteem with your Approbation Equivalent for my Labours. Mr. Morgan falls into Invectives reflects upon my Poverty (which I Imagine Cannot Effect the honesty of any man) and tho he declares I have wrote him many Insolent Letters, desir'd by me to be produc'd to ye Court, Answers—that he had made a very dirty use of them, at the Same time takes notice of a new English Expression, by no means so becoming in my opinion. In his defence which is the last matter I shall touch upon, he begins, Continues, & ends with Scurrility upon a Certain Gentleman, mentions

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a matter of some Garden Seeds, Surveying of different Lots, & Concludes, by taking it for Granted that he is entirely acquitted; that I act only from the Spleen & malice of another, & every body seems Surpriz'd that I shou'd not make it up, Condemn the only man who look'd upon me, and become the basest of mankind by a Step, that must render me unworthy of your Protection.

"Therefore most Humbly entreat you to give me a Hearing yourself, or by some other means prevent my Ruin. And your Petitioner as in Duty bound will Ever pray.

(Signd) RICH'D. BACON.

"I Forgot to mention a number of Cattle Charg'd to the plantation which was never Deliver'd, which was never taken notice of. Mr. Morgan Slept also every night in the room of one of the Gentlemen of the Court."\*

#### Order for a Rehearing:

"FORT CHARTRES, 16th October, 1776.

"Gentlemen of the Court of Enquiry—Whereas an appeal from the Opinion of A late Court of Enquiry Order'd to Examine into some Charges preferr'd Against Geo: Morgan Esqr. by Richard Bacon, has been deliver'd to me by the latter Setting Forth the reasons for such a demand, which reasons in my Opinion are neither frivelous nor malicious but of a very Clear & equitable nature, I am therefore Extreemly Sorry to find it absolutely necessary to Order a Revisal of the said proceedings & that they abide by the Charges Exhibited; instead of which it is obvious that Mr. Morgan by a useless display of a number of Books and papers has not only taken up the Time of the Court by an unnecessary enquiry into matters foreign from the purpose, but by that means also Eluded in a great measure the Facts Exhi'ited. It does not appear

\* Endorsed:—"Richard Bacon's Appeal, No. 6."

even by the proceedings that Mr. Morgan has Clearly disprov'd many things laid to his Charge, and the whole Tenour of his Style is nothing but a piece of Scurrility and invective against a third Person.

"The Indecency of Mr. Brown & Mr. McFee was not unnotic'd, neither has it pass unobserv'd by Mr. Bacon. Even the appearance of a partial Indulgence shou'd be avoided, then Mr. Bacon wou'd have less Cause to Complain.

"As the man Justly Observes what Signifies the local Situation of the plantation, he cultivated the Land Shewn him, Claims none as his property, but Conceiving an Evident Breach of Articles in the Settlement & Encouragement of another man just under his Nose, he applys for Justice and Submits his Case to the Court promising to abide by any Sum they with my approbation shou'd think equivalent for his Labour, adding thereto only the abuse which he said he receiv'd from Mr. Morgan both of which Circumstances Clearly appear.

"The appeal will be read by the President or Deputy Judge Advocate & Return'd to me with all the Original Papers refer'd to in said proceedings, and Exact Copies of the Deeds and Titles therein mention'd. I shall hereunto Annex'd Show you my Observations on each Page of the Courts proceedings only, and must request and order that you give me your answers thereto, opposite to the observations on each Page.

"I am Sorry the Court had so much Trouble in this Affair and that a Revisal of the proceedings will add thereto, I must recommend it to them to be particularly Attentive to Each Charge, and my Observations on the proceedings already given in.

"I Did not intend to have Examin'd further into this Dispute, than what Appear'd in the proceedings of the Court from the 24th Septem'r to the 4th October 1770.

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But have Since, perus'd the papers Deliver'd to the Court by Mr. Bacon, marked No. 1. 2. & 3, & which in my Opinion are absolutely necessary to be attended to, more minutely than they seem to have been; I have allso perus'd the Articles of Agreement at least a Copy thereof; & by which it appears A Copartnership; and in the 4th Article of said Agreement Mr. Bacon was to be furnis'd what he requested as necessary to forward their mutual Interest for Seven Years. Was it not then Equitable that Bacon shou'd have been Consulted in the Sums laid out? Otherwise at the Closing of Accounts, one party might be great Gainers, and the other little the better after seven years Service; It is my Duty to Give my Opinion on those matters & yours to weigh every Circumstance, that your Opinion & Judgement may Determine the affair to the Satisfaction of both parties at least that there may be no Cause of further Complaint. I am Gentlemen Your most Obedient & Humble Servant.

"To Lt: Wynne Presidt: (Signd) JNO. WILKINS,  
& the Members of a Court of Enquiry. Lt. Colonel."

**Observations\*** by Colonel Wilkins.—"(Page 1) I have to observe from the 1st to the 3d Page of the proceedings, that Bacon in answer to Mr. Morgan declares that Elliott has Settled on a place which Bacon had Clear'd & improv'd ([p.] 2) that and a Spring &c., &c., and taken from him a Shade [shed] built by Bacon. Was Bacon to Consult Mr. Morgan about Building said Shade or ([page] 3) making Improvements; if so, why [should] not Mr. Morgan take Bacon's Opinion in the vast Sums laid out; their obligations in the Agreement Seem mutual?

Court's Answer.—"It appears to the Court, that the only Improvements made by Bacon, on the land on which

\* These observations of Col. Wilkins are written on one-half of the page and the answers by the court on the other.

Mr. Elliott has lately Settled, was an old Shade, for which Mr. Morgan offers to pay him, which offer the Court look upon as a Great Indulgence, as Mr. Bacon ought to have Consulted Mr. Morgan (to whom the land belong'd) before he built that Shade, as a Coursory Leave to improve was by no means a Sufficient Title, for him to go build a Shade. The Court think that Mr. Morgan might with propriety purchase Cattle, without Consulting Bacon, as Mr. Morgan advanc'd the money, was more in the way of making Cheap purchases, which as a Party Concern'd it is to be Suppos'd he wou'd do. It also appears by the last article of their Agreement that there was no Compulsion upon Bacon to take Cattle, he did not approve of. Their obligations are so far mutual that they are both to Act for the Advantage of the Plantation. The part of the Company is to advance all monies & to purchase, what may be necessary. That of Bacon's to labour, Oversee, Negroes &c., &c.; in Short to do every thing necessary for the benefit of the Farm. If there was any Benefit (which Mr. Bacon wou'd insinuate) to arise in purchasing Cattle; which cou'd only proceed from his purchasing with merchandize, The Court are of Opinion it ought to belong to Mr. Morgan & Co., as some Equivalent for ye Interest of the large Sums of money they have laid out, without having any Security on the part of Bacon.

Col. W.—“(Page 4.) The Court Seem to have had Enough of That Charge.

Ans.—“It appears by the minutes of the Proceedings that the Court (as Colonel Wilkins very justly observes) was fully Satisfied of this Charge, as well as the Generality of Bacon's Charges, as appears very obvious by refering to their Opinion, the 4th Octr. Inst:

Col. W.—Page “5. And begins on the Personal Abuse in which Page Mr. Morgan is pleas'd to Address the Court & Concludes with bad Language of a Certain Gentleman not Named.

Ans.—“As the Charge in the 5 fo.; is not at all Supported by Mr. Bacon, it was Impossible for the Court to pronounce Mr. Morgan Culpable, and if any man Cou'd be so base as to accuse another falsely, he Certainly ought to be told of it, in Language Suitable to his Deserts.

Col. W.—Page “(6). The Court are amus'd with Mr. Morgan's Books & then Adjourn'd in order to give Mr. Bacon & his friends time to recollect themselves.

Ans.—“The Court did inspect Mr. Morgan's Books, as they thought it highly necessary, in order to assist them in making a proper Enquiry. They then adjourn'd as a great indulgence to Mr. Bacon, as they thought both himself and Friends had need of recollection, they having that day made a very poor hand of their Prosecution. The Court allways find Amusement in doing Justice.

Col. W.—Page “(7.) The Court meet & Credit Mr. Bacon for an overcharge of 270 Livres. Mr. Morgan again Addresses the Court to Show that those Charges was made in his Absence; why [was] not the person Call'd on who made those Charges?

Ans.—“The Court after inspecting the accounts (which the Lt. Colonel is pleas'd to call an amusement) between Mr. Morgan & Company & Mr. Bacon, which amounted to upwards of 60,000 Livres, they found the Articles objected to by Bacon, did not amount to more than 270 Livres, which Sum Mr. Morgan did Credit Bacon with, sooner than take up the time of the Court in proving the Charges to be just. It appear'd plainly, the Charges were made in Mr. Morgan's absence & the hand writing of the person who made them so well known, that the Court thought his presence needless; & that it would be a restraint upon him to be in Company of one, with whom he was at Variance.

Col. W.—Page “(8.) Of Horses, Cart, &c; and 26 head of Cattle bought by Mr. Morgan, without consulting Mr.

Bacon, who was to be charg'd for those Articles as Observ'd on in Page 1 to 3?

Ans.—“Fully Answer'd in first observation—Mr. Bacon was not under the necessity of having any Concern with more Cattle, than was perfectly agreeable to himself—moreover, the Cattle that Bacon Complains of being Overcharg'd in, is allow'd by Mr. Winston & the Court, to be altogether Equitable & Reasonable—See p. 8 of the Proceedings.

Col. W.—Page “(9.) Mr. Winston declares that Bacon had Mr. Morgan's Permission to improve the Spring & Land Contiguous to the plantation. In this page the Court Credit Mr. Bacon for an overcharge of 37 Livres 10 Sols.

Ans.—“Allowing Mr. Morgan did give leave to Bacon, to improve the Spring, & the Land, Contiguous to the plantation, The Court are of opinion Mr. Morgan had it in his power, to recall that Permission, when he found Mr. Bacon's behaviour, no longer merited such indulgence. Lt. Colo. Wilkins has Certainly made a mistake in his observations on the last part of fo: 9 relative to a credit of 37 Livres 10 Sols as will appear by referring to fo: 9 & 10 of ye Proceedings.

Col. W.—Page “(10.) Mr. Brown I must confess has Carried his Fidelity to Mr. Morgan a great length, I must however Observe thereon that his Oath Shall never be esteem'd A Sufficient voucher, for an Entry without proof of the delivery of any thing.

Ans.—“The Court think Mr. Brown has Acted with the Fidelity becoming every honest man, and as a Merchant's Book keeper's oath, all Over the world is Esteem'd a Sufficient voucher for the Books, it of Course must have the due weight with us.

Col. W.—Page “(11.) Of an address to the Court by Mr. Morgan concerning a negroe man, the affair Settled to Mr. Morgan's Content, but can it be reasonable that Bacon

or any other Person shou'd be answerable to Mr. Morgan for Charges he Chuses to make for what he says is given to Indians without the approbation of the party concern'd; but what has this long Story to do with Mr. Bacon's Complaint, was not the Negroe Equally Mr. Bacon's property? Query, was he detain'd or not?

Ans.—“It does not appear to the Court that Mr. Morgan, has charg'd Bacon any thing for Paying Indians for the Negroe, But are of Opinion, that in Case Mr. Morgan shou'd be under the necessity of paying 150 Dollars or any part thereof, that Mr. Bacon shou'd be Charg'd with his proportion of it. They think the long Story was very necessary to be attended to, in order to throw a proper light on Mr. Bacon's Complaint. The Negroe was not detain'd as it appears Clearly he refus'd to Return to Bacon, and declar'd shou'd there be any attempt made to force him, he was resolved to destroy himself. As to his being sold, that affair was Settled to their mutual Content, as appears by the 11th Line of fo: 12 of the Proceedings.

Col. W.—Pages “(12, 13, 14, 15, & 16.) Is taken up with the remarkable Ox in dispute, it would seem Strange that Mr. Morgan or his people shou'd go such Lengths, as to Confine & intended to kill the Ox if they did not know some history thereof. I had some talk with Lt. Chapman when at Kaskaskias of this remarkable fine Ox, and must desire that a Strict Enquiry may be made thereinto.

Ans.—“The Ox may be remarkable, but the Dispute is undoubtedly so, Strange as it may appear, we cannot think that Mr. Morgan Clandestinely detain'd the Ox, as is maliciously & Injuriouly Alledg'd by Bacon, on the Contrary it appears by the very Evidence of Bonthorn, who Mr. Bacon Call'd on as an Evidence to Support his cause, that Mr. Morgan never so much as Disputed the remarkable ox with Bacon. Perhaps as Lt. Chapman knows Something of this Ox; it might have been necessary for the Court to have asked him a few questions.

Col. W.—Page “(16.) Two Cows are Demanded from Mr. Morgan, who promised to do Justice.—See observation on Page 1 to 3 & page 8.

Ans.—“Mr. Morgan in presence of the Court, Promis’d that he wou’d Enquire after the Cows mention’d & do Justice; & they are of opinion, that nothing but his attention & time, being taken up, in attending this Court wou’d have prevented him from Performing his promise.—See our answer to Observation on fo: 1 to 3 & fo: 8.

Col. W.—Page “(17.) As the Company and Bacon was in a mutual Agreement, how cou’d Mr. Morgan with propriety ascertain the price of the 2 Oxen, 2 Horses Cart & Gears, or the price of the Negroe (which did not belong to the Plantation) without taking Bacon’s Opinion thereon?

Ans.—“It appears to the Court by the 4th Article of the Agreement, that the Company have reserv’d to themselves the power of purchasing what Cattle they shou’d Esteem necessary, without consulting Bacon, it not being mention’d in any part of the Articles that Bacon is to be consulted. They also think that Mr. Morgan was a very proper [person] to value the Negroe, as he had at that time a Parcel for Sale, & it appears to us that good ones Sold for 1800 to 2000 Livres—they refer to fo: 17.

Col. W.—Pages “(18 & 19.) Mr. Bacon still demands the accots: to be Settled, Mr. Morgan’s Letters produc’d Show fair Promises; but why not the accounts Settled? I dont find by the proceedings that Bacon hath any Books to amuse the Court, did not Bacon go to Kaskaskia for that purpose, & doth not Mr. Elliott Declare that him and Mr. Morgan had some Talk on that head, tho’ nothing was done to Stop this disagreeable Enquiry, till Steps were taken to bring it to a hearing?

Ans.—“We have to the best of our Judgment Settled Mr. Morgan’s Accounts & it is our Opinion that the Sum of 27629 Livres and Six Derniers is Justly due from the Plan-

tation to Boynton Wharton & Morgan, and the Sum of 1591 Livres 4 Sol & Eight Derniers is justly due from Bacon on his private Account to the Aforesaid Boynton Wharton & Morgan, Agreeable to the Accounts Stated & Certified by us, which sums we do conceive ought to be immediately paid, To the said Boynton, Wharton, & Morgan. It is true Bacon had no Books to amuse the Court; But he had Abundance of disagreeable matter to trouble them with and his Impertinent Libells (which we Suppose he Terms addresses) Cannot be read by any man (that has the least degree of care for his character) without Indignation; and the adviser & abbetor trifling man, we cannot but Esteem in a disagreeable light, & must hold in the utmost Contempt. We think every thing was done by Mr. Morgan to Stop this affair—But it was not to be Stop'd—and it Still remains a Doubt where it may Stop.

Col. W.—Page "(20.) Mr. Bacon questions Mr. Elliott whether the latter being Settled is not a prejudice to the former. Mr. Winston in the 9th Page declares that Mr. Morgan gave Bacon Permission to Settle & improve the lands contiguous to Him & it wou'd seem so or why [should] Mr. Morgan pay Bacon for a Barn unjustly built?

Ans.—"The chief points, as they appear to the Court, are whether Mr. Elliott is Settled, or has incroached on lands belonging to Bacon's plantation. It appears by Bonthorn's Evidence that he has done Neither, if so Mr. Elliott Cannot be any farther a Prejudice to Bacon than one farmer woud be to another, on Acct. of being Situated near him. They Refer to their answers to the Observations on fo: 9. They look upon Mr. Morgan's offering to pay Bacon as an Indulgence, they fear hee'l hardly merit. See fo: 7 & 8 of the Revisal.

Col. W.—Pages "(21 & 22.) Mr. Morgan Introduces thro a third person (Mr. Elliott) what a Certain Gentn: Shou'd Say, why not? Mr. Rumsey call'd on by the Court to



answer for himself thro' the whole proceedings as a principal concern'd. And why am I brought on the Carpet as having sent messages to Mr. Elliott & giving Permission to Settle &c., &c.; Mr. Elliott might have Acquainted the Court with the answers I gave him when he Spoke to me on that head lately, but this I shall take more cognizance of in due time.

Ans.—“Mr. Elliott did mention to the Court a Conversation he had with Mr. Bacon, in which Mr. Bacon introduc'd A Dialogue between him and Mr. Rumsey which they by no means think redounds to the credit of the latter. The Court in charity declin'd calling on Mr. Rumsey (tho' they clearly perceiv'd him to be the principal Manager of ye Puppet) But resolv'd, to let him go on working in the Dark, as they fear not many of that Gent'ns actions, wou'd not bear being brought to light. As Lt. Colonel Wilkins's Name was not disrespectfully mention'd, but only introduc'd in Relating matters of Fact The Court are not conscious of any impropriety in permitting it.

Col. W.—Page “(23.) Mr. Elliott Seems to have been a busey man in this hearsay Enquiry, & it wou'd Seem time Enough for Mr. Morgan to bring in the Huggermugger proceedings when they commence, which in All probability never wou'd have been the case if Mr. Elliott had not made Encroachments on his Improvements:

Ans.—“In answer to the Observation on fo: 23. The Court are Sorry to differ in Sentiment from Lt. Colonel Wilkins, they are far from thinking that Mr. Elliott Acted otherwise than as an honest man. The Enquiry on the part of Bacon, may be justly term'd an hearsay, as he has not brought One Single Evidence able to Support his Allegations, he brought one Bonthorn (O Rediculous) to relate a Story to the Court which he had from Bacon himself, this may Justly be deem'd hearsay. The Court are

of Opinion the Huggermugger Proceedings have long Since commenc'd. It does by no means appear to the Court that Elliott has inroach'd on Bacon.

Col. W.—Page "(24.)" Mr. Morgan Enters on his Defence with Assertaining his property or lands in Dispute, But when Mr. Winston was desir'd by the Court to take some Frenchman's Opinion on like occasion, I return'd for answer, that the Deeds only Shou'd carry Weight in that affair & hoped the Court would be of same Opinion.

Ans.—"By desire of the Court, Mr. Morgan did prove his Titles, to the Lands which he had purchased in the Grand Prairie, which they Look'd upon to be well authenticated, as they were Sign'd by the register as being properly recorded. The Attention the Court paid the Deeds has confirm'd them in their Opinion, which they are determin'd to abide by.

Col. W.—Page "(25.)" Mr. Brown Corroborates perfectly with Mr. Morgan in every thing he has asserted Respecting the Boundaries of the Plantation, & Messrs. Elliott, Kenedy, & Louverie have measur'd & Settled the Boundaries & Distance &c; without my Seeing any Title thereto.

Ans.—"It Appear'd to the Court, that Brown, Elliott, and Kennedy did measure the lands for Mr. Morgan, & they are all clear and Exact in their Accounts of the Limits. The Court are of Opinion the Records of which Lt. Colonel Wilkins, is in Possession, wou'd if Examin'd, Sufficiently Shew the Titles, Notwithstanding Lt. Colo. Wilkins was pleas'd to assert in Court, That Records were no proofs, & that he shou'd Pay no Attention to them.

Col. W.—"N. B. No notice is taken in the proceedings of Mr. Bacon's Assertion respecting Mr. Morgan's Declaration to Elliott, Viz.—That they had made Nine thousand Livres by the Plantation the first Year. Bacon's Observations thereon are worthy the Notice of the Court, by which means they will be better able to Judge of Mr. Bacon's Deserts.

(Sign'd) JOHN WILKINS.

Ans.—“From the Large Sums Expended by Mr. Morgan for the Benefit of Mr. Bacon & the Company there ought to have arose very handsome Profits, unless Great mismanagement Occasion'd the contrary. The Court had a Sufficient Opportunity during the Course of their proceedings to Judge of Bacon's Deserts.

“The Court Possitively Assert that neither Mr. Brown or Mr. McFee, acted in any indecent manner whatever during their Sitting. They are Sorry to Observe Lt. Colonel Wilkins has paid more attention to Low Tattle than to Assurances of his Officers in this matter.

Sign'd :	{	LEWIS WYNNE, Lt. President.	} Members
		ALEX. FOWLER, Lt:	
		THOS: HUTCHINS, 60th Regt:	
		WM. RICHARDSON, Ensign.	
		WM. CONOLLY, Ensign.” *	

### “Bacon's Impertinent Address.”

“To the Honourable Court of Enquiry. Gentlemen—I have nothing further to Say more than what I have already mention'd in the pagers given in & the appeal to which I refer, I therein think it Clearly explain'd, that the Settlement of Mr. Elliott or any Person must consequently prove injurious to my plantation, render all my Endeavours abortive, & finally enslave me by a continuance thereon. Have I not mention'd Cattle taken from me to be deliver'd Mr. Elliott? Mr. Morgan depriving me of my Customers? Is not the Settlement of another person dividing his powers to Serve me? And is it natural to imagine that I can proceed with the Same Industry after depriving me of that which was the only means of Inducing me to Subscribe to Such Severe Terms. Viz.—all his assistance. The land mention'd in the Articles I never cultivated, my

\* Endorsed:—“To Colo. Wilkins's Observations on a Court of Enquiry &c &c; No. 6.”

present Improvements are upon the King's Lands upon the Hills. Mr. Elliott Settled there also, & not upon any purchase as represented, the high lands never having been Grant'd to any Person. If Mr. Morgan lays any Stress upon the plantation mention'd in the articles (wherein no Boundaries are describ'd) why did he desire me to cultivate the high lands? or lay out so much money thereon. Surely if I am not to enjoy what I have Improv'd at least for my Seven Years, it cannot be Expected that I am to pay any proportion of the immense Sums laid out thereon? without my ever being Even consulted. Therefore, I humbly flatter myself, you cannot think me liable for any Sums Mr. Morgan shall think proper to charge, without my permission, being a joint partner I declare that I will abide by no charges or Bargains already or hereafter to be made without my knowledge & consent. I mean by this the Immense Sums already said to be Expended, which I hope no Court of honour & Justice will make me Subject to, tho I have been and was this day in the utmost despair, The Honble. Commdt: in this Country has given me a dawn of hope by the Expressions he made use of this day, in declaring he wou'd be the friend & Supporter of Every honest man in Opposition to all oppressors, tho the Sufferer be even a Negroe himself. Although I understood the present Court have only to give their opinion respecting the matter in Debate, I humbly flatter myself it will be Such as will put my Course in Such a light as to be of Service & feel my Injuries tho' I cant Express them, for the Reasons Set forth this day by Mr. Kennedy, &c;

"P. S. I must once more appeal to the papers I have already given in, as I do not clearly understand many of ye questions put to me.

"I am with Respect, Gentlemen, Your most humble  
Servt. (Sign'd) RICHD. BACON.

"FORT CHARTRES, 10th Octr: 1770."

"We do hereby certify that the above is a malicious Insolent Libel.

Sign'd: { LEWIS WYNNE, Lt.  
ALEXR. FOWLER, Lt.  
THOS. HUTCHINS, Ens: 60th Reg.  
WM. RICHARDSON, Ensn:  
WM. CONOLLY, Ens: "}

### Rehearing Proceedings.

"By an Order Issued by Lieutenant Colonel John Wilkins—The Court met this 17th of October nine of the clock in the morning, to revise their proceedings and Sentence given in favour of Mr. Morgan, on a matter of Difference between said Morgan & Richard Bacon; as also to answer such remarks and Observations as Colo. Wilkins had made on said proceedings.

"The Court being Assembled, all Parties were admitted. The Judge Advocate then Read Mr. Bacon's Remonstrance to Colonel Wilkins for a Revisal of the Proceedings; also a letter from Colo. Wilkins to the Court, with his Opinion, and Observations on the proceedings, & Sentence Annex'd.

"Question propos'd by the Court to Mr. Bacon.—'As you complain of a Breach of the Articles of Agreement (in your Remonstrance) between you and Mr. Morgan, you'll be so kind as to point out to the Court wherein consists said Breach of Articles?'

"Mr. Bacon.—'I look upon the Land Mr. Elliott is Settled upon as belonging to the Plantation, I agreed with Boynton, Wharton, & Morgan to Improve, as Mr. Morgan gave me leave to Improve it.'

"Court to Mr. Bacon.—'Did Mr. Morgan agree with you or is it mention'd in your Articles of Agreement with him, that he, Mr. Morgan, was not at Liberty to Settle any Person he pleas'd upon any Lands he might in future pur-

\* Endorsed:—"Richd. Bacon's fourth Impertinent Address to the Court, Dated Ft. Chartres, 18th October, 1770. No. 8."

chase after your Agreement with him the 21st March 1768?"

"Bacon.—'I never understood from Mr. Morgan, that he had any Intention to Settle any other person near the plantation he had Settled me upon.'

"Court.—'Do you look upon the Land now Occupied by Mr. Elliott, to be the Lands or part of the Lands alluded to in your Articles of Agreement with Mr. Morgan?'

"Bacon.—'I looked upon it as part of the Plantation, because Mr. Morgan desir'd me to Improve it.'

"Court.—'Was it immediately after your Agreement with Mr. Morgan, that he gave you Liberty to Improve the Lands now Occupied by Mr. Elliott?'

"Bacon.—'No; it was not immediately—it was some time After.'

"William Bonthorn a witness of Mr. Bacon's being call'd upon; did not appear. Mr. Bacon being ask'd by the Court, what this Bonthorn was to prove. Answer'd, that he had often heard him Say, that the Plantation was fourteen Acres in Front extending in Length from the Roches to the Mississippi.

"Mr. Bacon complains in his Remonstrance to Colonel Wilkins, of being often Reprov'd by the Court, and told that every thing was going against him, and that in absolute Despair of doing himself Justice he forbore mentioning many things he cou'd have done. Being ask'd by the Court in what manner he was Reprov'd. He Says, the Court told him that they were very Sorry to observe, that they looked upon him once, as a very Industrious, Sober, honest man, but they thought him now a very troublesome Litigious Fellow, 'and that if I did not bring Evidence to prove what I had Asserted against Mr. Morgan more clearly than what I had Done, I must turn out a Scoundrel at last: and also that if I did not Support the charge of the Ox brought against Mr. Morgan, that Mr. Morgan cou'd bring an Action against me at common Law.' Mrs.

Casey being call'd upon by Mr. Bacon with respect to Mr. Brown (a clerk of Mr. Morgan's) telling Mr. Bacon, that one of his cattle had Stray'd to Post St. Vincent, and being ask'd by the Court what She knew of this matter, Says—that She heard Mr. Brown & Mr. Bacon talking about Twenty Six head of cattle, that were brought from Post St. Vincent to the Plantation; and that Mr. Brown told Mr. Bacon that one of them had Stray'd back to Post St. Vincent.

"Mr. Bacon having none of his Evidences present the Court was oblig'd to Adjourn till to morrow morning Nine of the Clock, when all parties were Order'd to give Attendance."

"Thursday, 18th October, 1770. The Court met this morning at Nine of the Clock pursuant to Adjournment.

"William Bonthorn came before the Court as an Evidence in favour of Mr. Bacon. Being desir'd by the Court to Relate what he knew of the matter in Debate between Mr. Morgan & Mr. Bacon Says—that he heard Mr. Bacon Say, that he intended to fence in a piece of Ground, which he imagin'd wou'd extend his Plantation Fourteen Acres in Front. He adds that he has heard Mr. Bacon Say, that Mr. Morgan has purchas'd more lands & that he understood that Mr. Bacon was to improve the last purchase as well as the First.

"Mr. Bacon desires Bonthorn to relate to the Court, what he knows concerning the Improvements he had made where Mr. Elliott is now Settled.

"Bonthorn.—'Some time before I went to Mr. Bacon's to live which was in Sept: 1768 Mr. Bacon had clear'd a Small piece of Land, and intended he said to make a Field there. I know of no other Improvements, but a Small House that was built by Agreement for one Campbell, who Imagin'd was to Settle there. We cut some Timber off Said land, for building A Barn and other Uses.'



"Court to Mr. Bacon.—'Mr. Bacon you have Set forth in your Petition that you was told every thing was going against you—be kind Enough to relate to the Court from whom you had this Information?'

"Mr. Bacon.—'Mr. Fowler told me so.'

"Mr. Patrick Kennedy was call'd upon by Mr. Bacon to relate to the Court what passed on the 27th September last between the Judge Advocate, Court & Mr. Bacon; Deliver'd to the Court the Annex'd Paper which was Read Publickly by the Judge Advocate, all Parties Present.[:]

### Patrick Kennedy's Evidence.

"Gentlemen:—On the 27th Day of Septemr. I was Call'd upon by Mr. Morgan to attend a Court of Enquiry held at Fort Chartres & during my Stay there happened the following words between the Judge Advocate & Mr Bacon:

"1st. Judge Advocate.—'Mr. Bacon you see that all these witnesses you got this day is all Against you, so I beg you will desist from asking them any more questions.'

"Mr. Bacon.—'Gentlemen, I think the Evidences are as much in my favour as in Mr. Morgan's as they make the Sum one hundred & fifty Livres more than was mention'd.'

"Court.—'You have no Right to think about it at all, Sir.'

"2d. J. Advocate.—'Mr. Bacon I must needs tell you, you have bad Advisers that may lead you into Scrapes, that you wont readily get out of, (I Suppose you will tell that to Mr. Rumsey to go along with the rest, you have told him) for my part I dont Care what you tell him, & you may tell him I said So.'

"Mr. Morgan.—'I have been a Good friend to you Mr. Bacon & does Still intend it notwithstanding what has happened.'

"3d. J. Advocate.—'You see Mr. Bacon what Mr. Mor-

gan Says that he will Still be your friend tho you have brought things to Such a head.'

"Mr. Bacon.—'I disregard any Services yt Mr. Morgan may do for me, as I Dont Intend to have any thing to do with him for the future.'

"4th. J. Advocate.—'You are A very impertinent fellow I must needs tell you, Mr. Bacon, that is no answer to give here, your Character heretofore, was very good in the Eyes of Every one but now we find that you will Appear a Troublesome, wrangling Sort of a fellow, and if you dont bring better proofs to Support what you have Alleged against Mr. Morgan I am afraid you will turn out the Scoundrel & Rascal at last; you have got above your business, like a great many others when they Come to this Country.'

"Mr. Bacon.—'Gentlemen I am very Sorry that I should Say any thing to Disoblige the Court, & Humbly beg Pardon.'

"The above is an Impartial Acct. to the best of my knowledge & remembrance. I am Gentlemen Your Humble Servant. (Signd) PATT. KENNEDY."

"Mr. Fowler's Remarks on Mr. Kennedy's Evidence:—The first Charge (if it can be Call'd by that Appellation) I partly allow Except the Diction which I absolutely deny. This was as Mr. Kennedy Says on the 27th September, & he might have added, when Monsr. La Source, who was called upon by Mr. Bacon to Support Some charges against Mr. Morgan, was giving his Evidence—see Page 17 of the proceedings. Whether or not it was my business as Judge Advocate to desire Bacon to desist from calling Evidence that was hurtful to his cause, I leave to the Decission of Colo. Wilkins and every other man of Probity, Impartiality & Common sense. To Mr. Kennedy's Second Charge, there was also some such Discourse happened, tho far from

being Verbatim. As it was Evident that Mr. Bacon cou'd not write the papers deliver'd to the Court, it was natural to think, & without doubt, he had advisers: And as I had a Letter from Mr. Rumsey the preceding Evening, hinting to me, not to be premature in giving my Opinion of a man I had yet little knowledge of & who wish'd me well, I was Convinc'd that Mr. Bacon had Commenc'd Tatler—and an Infamous, lying, Slandering Tatler, too. I answer'd Mr. Rumsey's Letter to his Satisfaction. I therefore on telling & advising him to desist, said that whoever was his advocate in this matter, I thought him a very bad one: that if it was Mr. Rumsey, Bacon (as he had Commenc'd Carrying Extraordinary Intelligence) might if his memory cou'd retain it, Communicate what I said to Mr. Rumsey; for what I had Said, or wou'd Say, in that Court, I wou'd Say, if Mr. Rumey and all the world was present.

"As to the fourth Charge, from an answer Bacon gave to Mr. Morgan I did Say that I thought he was a very Impertinent fellow & added that I was Sorry for it as I had even heard Mr. Morgan Speak of him with a Warmth, which he little deserved from what he had now said.

"In the Course of the proceedings & from the Style & nature of the papers Deliver'd to the Court from time to time he has fix'd an Opinion with me which only an Oposite Behaviour of Mr. Bacon can Eradicate.

ALEX. FOWLER, Lt. in the

"FORT CHARTRES, 18th or Royal Irish Regiment of Foot,  
19th October 1770. & acting Dep'y Judge Advocate."\*

"Mr. Bacon desires Bonthorn to relate to the Court what he knows of him (Mr. Bacon) receiving two Hogs from one Gotio, for which Mr. Morgan has charg'd him one hundred & Sixty Livres.

\* "Mr. Patrick Kennedy's Evidence—what pass'd in Court 27 Septembr last, with Mr. Fowler's remarks thereon. No. 7."

"Bonthorn. — 'I Remember Mr. Bacon bringing one Sow from Kaskaskia, when I was with him in the latter end of Year 1768, but I Remember of no more.'

"Mr. Bacon Still insisting that he did not receive the two Hogs from Gotio for which Mr. Morgan had charg'd him one hundred & Sixty Livres — adding that he was willing to make [an oath] that he never Receiv'd them.

"Mr. Morgan to Bonthorn. — 'Is the Land which you have mention'd to the Court in your former Evidence to be Plow'd or Improv'd by Mr. Bacon; is it, in the Grand Prairie, or on the back of the Roches?'

"Bonthorn. — 'It is Situated on the Grand Prairie.'

"Court. — 'Has Elliott made Encroachments thereon?'

"Bonthorn. — 'I dont think he has.'

"Mr. Morgan to Bonthorn. — 'Has Mr. Elliott Encroach'd on the Plantation Assign'd to Mr. Bacon in any respect?'

"Bonthorn. — 'I know of no Encroachments except Mr. Elliott's calfs getting among his corn may be Esteem'd one: — and I dont remember that there was any Fences to keep them out.'

"Mr. Morgan. — 'Was the House Built by Mr. Bacon Occupied; or did Mr. Bacon make any use of it when Mr. Elliott took possession?'

"Bonthorn. — 'No; It was not.'

"Mr. Morgan. — 'Had Mr. Bacon ever plow'd the Land he talks of Improving, or had he ever Fenced it in?'

"Bonthorn. — 'No.'

"Mr. Morgan. — 'Was the House built by Mr. Bacon of any use or advantage to the Plantation?'

"Bonthorn. — 'I suppose Mr. Bacon intended it to be of use, but I dont think it was of any.'

"Mr. Bacon desires that Mr. Patrick Kennedy will relate to the Court, what he has heard Mr. Elliott Say with Respect of his being Settled where he is.

"Mr. Kennedy Says he has heard Mr. Elliott Say in common discourse, that he thought he was prejudicial to Mr. Bacon, by being Settled where he was, and observ'd, that by having the use of the Spring & cutting the Timber that Mr. Bacon formerly had the use of, must be of great disadvantage to him.

"Mr. Morgan to Mr. Kennedy.—'Did Mr. Elliott say he was Illegally or unjustly a disadvantage to Mr. Bacon?'

"Mr. Kennedy.—'No. He did not, He said it was of no kind of Consequence to him for that Mr. Morgan was to find him a Plantation.'

"Mr. Morgan to Bonthorn.—'You'll relate to the Court what you know, and what pass'd between Mr. Bacon and yourself regarding the remarkable Fat Ox at Kaskaskia now in Question?'

"Bonthorn.—'One day after Breakfast at Mr. Elliott's, Mr. Bacon was talking to Mr. Elliott about the Ox. They call'd to me—and Mr. Bacon Ask'd me if I remember'd Such an Ox, mentioning the colour. I said I remember'd the Ox, as he was pretty remarkable. I told Mr. Elliott & Mr. Brown what Age I thought he was of; and Mr. Elliott at the same time said that by the Discription I had given of him he Suppos'd it was the same Ox. Some days after this Mr. Bacon went down to Kaskaskia to see the Ox; and he desir'd me to go down afterward, & take some Potatoes to Mr. Morgan, and make myself certain if this was the Ox: I asked of Mr. Bacon what I shou'd Say to Mr. Morgan, when I went down concerning the Ox: Mr. Bacon told me by no means to Speak of the Ox to Mr. Morgan, as I wou'd See him in the Yard Amongst the other cattle—after I had taken a look at the Ox, I told Mr. Bacon that I cou'd not be positive, whether it was the same Ox or not, as his colour had chang'd; altho from his Shape & Appearance I thought it was the Ox, Yet I cou'd not venture to make Oath that it was.' Bonthorn Adds,

"A Breach of the Articles of Agreement, being the only matter in Our Opinion, Bacon should have attended to, yet this was Artfully Avoided: and when Mr. Morgan was desiring & Impressing Mr. Bacon to prove His allegations with respect to A Breach in the Articles of Agreement, Colo: Wilkins being present reprimanded him; and told him that he disturb'd the Court; and also said in open Court, that he was Convinced Mr. Morgan was Guilty of a Breach of Articles; and that the Court had no Right to give Sentence, only to give their Opinion.

"The Court thinks that they were Interrupted in their proceedings by Colonel Wilkins being present; and also thinks that Colonel Wilkins from what he said looks upon the Gentlemen that constitute this Court in so Cyphercal & Indifferent a sense, as to be Incapable of giving an honest Impartial Opinion. This the Gentlemen of the Court are sorry to observe, and it is with the utmost concern they mention it. But from Colonel Wilkins allowing of an Appeal, thro the Channel of Himself; couch'd in a collection of words foreign to the Dispute; Replete with bitter Ill-timed Invective; with Impertinent & Groundless Reflections, and with A Variety of False, Scandalous, & Imaginary Assertions, they cou'd not with Safety, & Justice to themselves, Pass it Over altogether Unnotic'd.

"What they have done, has been done Cooly & Deliberately; is the Dictates of honest, upright Hearts, Supported by clear & uninterrupted Imaginations; Free, & unfetter'd, by malice, Envy, Prejudice or Partiality, we have hereunto Annex'd our Opinions. Conscious of this (tho much concern'd for Differing so widely in Opinion from Colonel Wilkins) we have Subscrib'd our Names, without Trembling with Guilt, as Bacon wou'd Intimate, or without Shaking for the consequences."

"The Court in Consequence of Colonel Wilkin's Orders of the 16th of this Instant met to revise their Proceedings,

and Sentence pass'd the 4th of this Instant on a matter of Difference between Geo: Morgan Esqr. & Mr. Richard Bacon, as also to answer such Remarks, and Observations, as Colonel Wilkins had made on said proceedings, And after having carefully Revis'd said proceedings, & Exam-in'd what other Witnesses Mr. Bacon Call'd upon to Support his charges, as well as Read and Heedfully meditated on his Remonstrance, and his paper deliver'd to the Judge Advocate the 18th Instant; are unanimously & Firmly of Opinion, that his Remonstrance, as well as paper of the 18th, are Infamous, Impertinent Libels, on the Proceedings of the Court; And that neither they, nor the witnesses he has call'd upon, has in any Degree whatever, Prov'd, that Mr. Morgan has oppress'd Mr. Bacon, & therefore we must beg leave to Refer Lieut. Colonel Wilkins to the Sentence or Opinion given by us the 4th of October, which is Annex'd to the Proceedings, and which we must out of regard for our own Honour, as well as Justice to the parties concern'd Religiously Abide by.

"And we do hereby Refer Lt. Colo. Wilkins To said Sentence or Opinion Accordingly.

(Sign'd) A. FOWLER, Lt. in 18th or  
Royal Irish Regt: of Foot, Acting D'y Judge Advocate.

Sign'd:	{	LEWIS WYNNE, Lt. & Presdt.	}	Members
		ALEX.R. FOWLER, Lt.		
		THOS. HUTCHINS, Ens. 60th Regt:		
		WM. RICHARDSON, Ensn:		
		WM. CONOLLY, Ensn: *		

The court certainly came out ahead in the matter of the rehearing. It not only reaffirmed its former judgment and reiterated in additionally strong language its former opinion of the defendant, but insinuated as positively as it could,

\* Endorsed:—"Minutes on the Revisal of a Court of Enquiry on a Matter of Difference between Geo: Morgan Esqr: & Mr. Richard Bacon, Commencing the 16th & Ending the 20th October 1770."



within courteous bounds, its opinion of the commandant.

It was doubtless out of this and other like proceedings, and his disposition to make grants of land to favored purchasers, reserving an interest for his own benefit, that there grew up a very bad state of feeling in the Illinois country between the commandant and the different classes of citizens, which increasing in factional bitterness finally resulted in bringing charges against Col. Wilkins for mal-administration, especially in charging the government with sums expended for his private account. He invited an investigation and tendered his resignation in September, 1771, but was not superseded in his command until the following spring, when he left for New York and sailed for London in July, 1772.\*

We have no account of the result of the investigation, nor of the colonel's subsequent career, except that it is stated that he died or left the army at the close of the year 1775, his name not thereafter appearing on the army-list.†

\* Brymner's "Calendar of Canadian Archives, report of 1884," pages 54 and 56.

† "Colonial History of New York," VIII, 185.

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# EARLY ILLINOIS.

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FERGUS' HISTORICAL SERIES, Nos. 31, 32, 33, and 34.

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VOL. ONE—PARTS I, II, III, IV.

# EARLY ILLINOIS.

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